

On Target

Informing Indiana About
Disability Issues

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Issues

On Target is a monthly publication of the Indiana Governor's Council for People with Disabilities.

We welcome your suggestions for newsletter content and ideas concerning the actions of the Council. *On Target* is made available in accessible formats upon request.

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Congress passes education, technology bills

In a lame-duck session after the November election, Congress reconvened to discuss a number of important issues, from the federal budget to assistive technology to special education. Before the session ended, the Senate and House of Representatives passed several bills of critical importance to people with disabilities.

Appropriations

Both houses of Congress passed the fiscal year 2005 appropriations bill in late November. This bill established budgets for almost every federal program and contained an average budget increase of 1 percent. Appropriations bills for defense and homeland security had passed earlier in the session and received increases of 7 percent and 9 percent, respectively.

Among the hardest-hit programs were those in the Department of Housing and Urban Development. According to "Capitol Insider," the new budget for Section 8 housing vouchers will be "sufficient to fund all vouchers currently in use, but not all vouchers authorized." In effect, this represents a cut to the program.

Assistive Technology Act

The Assistive Technology Act was signed into law Oct. 25 after being passed unanimously by both houses of Congress. The bill reauthorizes the

original legislation and eliminates the sunset provision. State programs must now use at least 60 percent of their federal dollars on direct aid programs, including alternative financing programs and device loan, reutilization and demonstration programs. The remaining federal dollars go toward state leadership activities, although programs have some flexibility in the way funds are allocated.

It is significant that the bill shifts responsibility for Tech Act programs from the National Institute on Disability Rehabilitation Research to the Rehabilitation Services Administration. According to "Washington Watch," this reflects "the move from a more temporary, research-oriented status to a stable, ongoing array of programs."

Outlook for 2005

With appropriations, education and assistive technology bills now passed, advocates are looking toward the upcoming legislative session, when members of the 109th Congress will take the oath of office.

"We're considering the next congressional session a time to protect - not advance - our agenda," said Kim Dodson, Arc of Indiana director of government relations and development.

Among advocates' key concerns is the future of the Medicaid program.

"We're still very concerned about the prospect of a Medicaid block grant," Dodson said. "We're also hearing a lot of talk about cutting services, decreasing the number of optional services available to states, decreasing eligibility and even reducing reimbursement rates."

Advocates are also concerned about proposed changes to the Social Security program, particularly privatization.

"Privatization would make the solvency of Social Security worse and drive up the federal deficit significantly," said June Lyle, AARP associate state director for public policy.

Lyle said that, while the Social Security debate will probably be framed in terms of seniors and young workers, people with disabilities should also play a role in the discussion, because any changes to Social Security in general will affect Supplemental Security Income (SSI) benefits.

Indiana's congressional delegation

When Congress convenes in January, Republicans will enjoy a larger majority in both the Senate and House of Representatives. Republicans now hold a 231-200-1 majority in the House and a 55-44-1 majority in the Senate. Among these legislators are Indiana's elected representatives, including:

Senate

- Evan Bayh (Democrat)
- Richard Lugar (Republican)

House of Representatives

- First district: Peter J. Visclosky (Democrat)
- Second district: Chris Chocola (Republican)
- Third district: Mark Souder (Republican)
- Fourth district: Steve Buyer (Republican)
- Fifth district: Dan Burton (Republican)
- Sixth district: Mike Pence (Republican)
- Seventh district: Julia Carson (Democrat)
- Eighth district: John Hostettler (Republican)
- Ninth district: Mike Sodrel (Republican)
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If you need contact information for your senator or representative, visit www.in.gov and click on

the "Who's your legislator?" link.

Indiana athlete wins Paralympic medal

In September, athletes with disabilities from all over the world gathered in Athens, Greece, to compete in the summer Paralympic Games.

In two weeks of competition, Chinese athletes won a staggering 141 medals, 63 of them gold. The United States ranked fourth in the medal standings, behind China, Australia and Great Britain, with 88 medals, including 27 gold medals.

Indiana's own Trischa Zorn, the most decorated Paralympic athlete in history, earned a bronze medal in the women's 100-meter backstroke. In 20 years of competition, Zorn has earned 55 medals, 41 of which are gold.

The Paralympic Games are the second largest sporting event in the world, second only to the Olympics. Paralympic athletes - more than 4,000 people from 120 countries - compete in 21 sports, including swimming, cycling, archery and goalball, a game in which athletes with visual impairments score goals using a ball with bells inside of it.

New names, faces in Indiana government

Things are changing in state government, starting with many new leaders in the executive and legislative branches. Indiana's first Republican governor since 1989 has the opportunity to reshape state agencies, and a new Republican majority in the House of Representatives has elected committee chairs.

Governor-elect Mitch Daniels and Lieutenant Governor-elect Becky Skillman are reorganizing Indiana's government, starting with the

announcement of key appointments. New state leadership includes:

- Chief of Staff, Governor's Office: Harry L. Gonso
- Commissioner, Department of Administration: Earl A. Goode
- Deputy Chief of Staff, Governor's Office: Ellen Whitt
- Director, Department of Child Services: James W. Payne
- Director, Indiana Office of Management and Budget: Charles "Chuck" Schalliol
- Director, Family and Social Services Administration: Edward Mitchell Roob Jr.
- Director, State Personnel Department: Debra F. Minott
- President, Indiana Economic Development Corporation: Michael Maurer
- Secretary of Commerce: Pat Miller

Republicans select new House leaders On Organization Day in November, Republicans in the House of Representatives, who now hold a 52-48 majority, filled many leadership roles, including:

- Speaker of the House: Brian Bosma (District 88)
- Floor Leader: Bill Friend (23)
- Chair, Ways and Means Committee: Jeff Espich (82)
- Chair, Education Committee: Bob Behning (91)
- Chair, Employment and Labor Committee: Jerry Torr (39)
- Chair, Family, Children and Human Affairs Committee: Mary Kay Budak (20)
- Chair, Government and Regulatory Reform Committee: Jim Buck (38)
- Chair, Insurance Committee: Mike Ripley (79)
- Chair, Public Policy and Veterans Affairs

Committee: Bob Alderman (83)

- Chair, Public Health Committee: Vaneta Becker (78)

Visit www.in.gov for more information about new leaders in both the executive and legislative branches.

IDEA reauthorized

On Dec. 3, President George W. Bush signed the reauthorization of the Individuals with Disabilities Education Act. While the bill does remove some protections for children and families with disabilities, advocates consider the bill a vast improvement from earlier versions proposed in the House of Representatives.

According to a briefing released by the IDEA Rapid Response Network, "In the main, the principals of IDEA are preserved. The extremely negative provisions in the House bill have been eliminated, and parents' rights remain largely intact."

The reauthorization does contain provisions of concern to advocates, including the replacement of short-term IEP (Individualized Education Plan) objectives with "measurable annual goals" and quarterly progress reports. In addition, as many as 15 states may choose to test the effectiveness of three-year IEPs.

Advocates are also concerned about the new "early resolution meeting," which would occur after a parent files a complaint. Parents may be "intimidated into signing a legally binding document under duress" at that meeting, according to the Rapid Response Network.

Despite these concerns, advocates say the reauthorization does contain such positive provisions as an increase in the number of

certified special education teachers and expanded access to assistive technology. In addition, the program retains many elements challenged during the debate, including continued services for students in alternative placements and attorney fee reimbursements for parents who win due process hearings. The bill also requires schools to consider, during disciplinary proceedings, whether students' misbehaviors are related to their disability.

Budget, agency structure are top state issues

At the Council's Annual Conference for People with Disabilities in November, a panel of disability advocates in the "What the Future Holds in this Legislative Session" workshop discussed their outlook for the upcoming state legislative session.

Steve McCaffrey, executive director of the Mental Health Association in Indiana, discussed the significance of the leadership shift in the state House of Representatives. Because Republicans now hold a 52-48 majority, they select the committee chairs, who ultimately decide which bills are brought to the House floor for a vote.

Panelists expect the faltering state budget to be the top issue when the General Assembly convenes. The biennial state budget will be developed during the upcoming legislative session, and funding levels established by that budget will affect the services people with disabilities receive.

"I think there are really tough choices to be made," said June Lyle, AARP associate state director for public policy. "A recent study showed that Indiana has already made all of the easy choices, and you may see some more aggressive

discussions about what to do with Medicaid."

For example, there has been discussion about tightening eligibility requirements or eliminating optional services, said Kim Dodson, director of government relations and development for The Arc of Indiana. In addition, panelists expressed concern about the possibility of the executive branch accepting a federal block grant proposal for Medicaid. Disability advocates nationwide have fought against Medicaid block grants, which would eliminate the federal entitlement to Medicaid services.

Panelists agreed that the prospect of increased taxes is very real.

"This deficit is not something we're going to grow out of through economic growth, at least for the next few years," Lyle said.

Advocates should also monitor the restructuring of state agencies, especially the Family and Social Services Administration, panelists said. These changes could affect the way people with disabilities receive services.

Dodson said The Arc will focus its efforts in the upcoming legislative session on continued implementation of the 317 Plan, which was designed to shift Indiana's reliance from institutional care to home and community-based care. Issues of particular importance for the 317 Plan include planning for emergency care needs, increasing wages for personal care attendants and expanding Medicaid waiver services.

Because those efforts will cost the state an estimated \$118 million, disability advocates will be reviving discussion on the non-nutritive beverage fee, which would impose a tax on the syrups used to make sodas and other drinks

without nutritional value.

"In this session, grassroots efforts will be more important than ever," Dodson said.

Council presents annual media awards

At its annual Conference, the Council recognized

journalists whose work educates the public about disability issues and portrays people with disabilities in a positive way. Winners of the Award for Excellence in Reporting on Disability Issues, which is sponsored by the Council, Indiana University and Ball State University, include the following:

- **Honorable mention (circulation less than 40,000)**
Sherri Coner, Franklin Daily Journal. Coner was honored for a series of articles profiling families of children with autism.
- **Honorable mention (circulation 40,000 or more)**
Jennifer Boen, Fort Wayne News-Sentinel. Boen, a previous media award winner, was recognized for a story about families who were told they had been approved for Medicaid waivers only to learn later that the state had made a mistake.
- **Award for Excellence in Reporting on Disability Issues**
David Rumbach, reporter, and Shayna Breslin, photographer, South Bend Tribune. Rumbach and Breslin received the award in recognition of an impressive, in-depth series, "The many faces of autism," that profiled people with autism of different ages and with different types of autism and explored the possible causes of autism.

Of Note

Order Disability Awareness Month materials now

Disability Awareness Month 2005 materials are now available. To place an order, visit www.in.gov/gpcpd or contact Kim Dennison at (317) 631-6499 (fax), kdennison@bjmpr.com (e-mail) or (317) 631-6400 (voice).

Wright wins grand prize

Donna Wright of Tipton, a 1995 graduate of the Partners in Policymaking Academy, was the winner of the grand prize at the Annual Conference for People with Disabilities. Wright receives an overnight stay at the Westin Hotel, downtown Indianapolis, and breakfast for two.

Order 'Credo for Support' video

If you enjoyed "A Credo for Support," shown during Elmer Cerano's Conference presentation, consider ordering your own copy. For the older version without voiceover, visit www.normemma.com/videos.htm or call (250) 754-9939 (voice). For the version with a voiceover option, visit www.pdassoc.com/acfs.html or call (800) 543-2119 (voice).

Web site simplifies drug discount card information

Are you confused about the many Medicare-approved drug discount cards now available? Are you eligible? Which card is best for you? For help with these and other questions, visit www.themedcard.info, a new Web site that simplifies the information and provides audio and video clips to assist people with intellectual and visual disabilities.

ADA-Indiana offers seminars

ADA-Indiana offers the ADA Audio Conference Series, which provides continuing education on ADA regulations and trends. Upcoming conference topics include reasonable

accommodations, emergency preparedness and transportation. Site locations include Bloomington, Evansville, Indianapolis (two locations), Muncie, Richmond and Westville. Visit www.adaindiana.org for more information or contact Matt Norris at (812) 855-6508 (voice) or adainfo@indiana.edu (e-mail).

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