

On Target

Informing Indiana About
Disability Issues

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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.

Suellen Jackson-Boner
Executive

OnTarget

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Indiana Governor's Council for People with Disabilities

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Council has made significant progress over the past 25 years

The Indiana Governor's Council for People with Disabilities recently examined positive changes in 14 different key areas that it has helped implement over the past quarter-century. Since the Council's responsibilities are by very nature long-term in scope and vision, they often require small successes along the way to achieve the major milestone changes needed.

In reviewing accomplishments since the late 1980s, it becomes clear the Council has helped make a difference in the lives of Hoosiers with disabilities.

Key accomplishments include:

- Publicly financed institutions that once housed thousands of people with disabilities have closed and more are closing.
- Acts of prejudice and discrimination that limit residential options for people with disabilities are fewer.
- Legislation is in place to help Hoosiers with disabilities gain equal access to public education.
- Barriers to employment opportunities and full

Director

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participation in community life, while still limited, are being successfully challenged in the courts.

- More Hoosiers with disabilities are now taking their rightful place alongside fellow citizens in communities, the workplace, schools and places of worship.

Paul
Shankland
*Grants
Manager*

Specifically, 25 years ago, the majority of Hoosiers with disabilities lived with their families, or in institutions or nursing homes. Today, 9,000 Hoosiers with disabilities take advantage of Indiana Home- and Community-Based Waivers, and receive the support services needed to live in their own homes. While many more - 15,500 Hoosiers with disabilities - remain on the Medicaid Waiver waiting list as of 2005, according to The Arc of Indiana, we have come a long way in this area.

The number of Hoosiers with disabilities in the competitive workforce also has increased dramatically, as illustrated in the accompanying chart. In 1988, only 597 Hoosiers with disabilities were in the supported/competitive workforce. Last year, that number stood at 4,778. Indiana's progress in this area is more than double the national average, while our spending per capita is somewhat lower than the national average.

Register now to vote in May primary elections

Primary elections in Indiana will take place May 2, 2006, which is the first Tuesday after the first Monday in May. Only registered voters can vote. Since the registration deadline is 29 days before the election, those interested have until April 3 to register. More information about how to do so is available from the Election Division of the Secretary of State's office, (317) 232-3939 (voice). Voter application forms in both English and Spanish, as well as absentee ballot forms, are available from the state's Web site at www.state.in.us/sos/elections/vote_reg.html.

More information about the accessibility of Indiana's polling places will be included in the March issue of "On Target."

Budget Reconciliation Bill poses threat

The U.S. Congress wrapped up its fall 2005 legislative session without officially finalizing the Budget Reconciliation Bill. This bill was passed by the U.S. House and Senate in late December, but must be voted on again in the House following minor last-minute changes by the Senate. That vote won't take place until Feb. 2 or after.

The bill threatens public policy for people with disabilities due to the scaling back of critical services and supports. It will cut human services entitlement spending by almost \$40 billion over five years, with Medicaid cut by \$6.9 billion. In addition, back payments to SSI (Supplemental Security Income) beneficiaries would be delayed, and increased work requirements for TANF (Temporary Assistance for Needy Families) will make it difficult for recipients with disabilities or their caregivers to receive program dollars.

Two positive aspects of the bill are expanded dollars to support the Family Opportunity Act (legislation that would allow low-income families to access health care for their child with a disability through Medicaid) and the Money Follows the Individuals demonstration, which would allow Medicaid money to follow the person from an institution into the community.

Subscription information to several legislative publications can be found at The Arc's Web site, www.thearc.org/ppc/capinsider.doc.

Indiana legislature discusses disability-related bills

Indiana's 2006 legislative session is a short one - commencing in January and set to conclude by mid-March. Although each day results in changes to or elimination of several bills, following is a recap of some of those filed that affect people with disabilities:

- HB 1011 (also SB 037) - This legislation would require precincts to comply with certain polling place accessibility guidelines.
- HB 1041 (also SB 204) - Originally defeated last year, this bill will allow health insurance policies to be offered in certain situations that do not cover all of the

health benefit mandates that the state has passed over the last 20 years.

- SB 66 - This bill would prohibit individuals who are mentally ill to be sentenced to life imprisonment without parole or the death penalty.
- SB 112 - This legislation would create the Bureau of Child Development Services within the Division of Disability and Rehabilitation Services, and the infants and toddlers with disabilities program (First Steps) would transfer to the new bureau.
- SB 208 - This bill provides that if an applicant for a driver's license or an identification card submits information concerning a medical condition, an identifying symbol about that condition will be included on his or her license or ID card.
- SB 267 - This bill would provide for courts to obtain professional opinions as to whether a person being sentenced has a mental illness, an addictive disorder or a developmental disability, as well as the appropriate treatment for the person.
- SB 270 - This legislation would require that a person applying for community home and options to institutional care for the elderly and disabled program (CHOICE) must be ineligible for the state's Medicaid program.
- SCR 9 - This resolution would name the Family and Social Services Administration (FSSA) as lead agency to oversee and update the development of a comprehensive plan for services for individuals with autism.
- SCR 10 - This resolution would ask that a study committee be assigned the topic of requiring the use of "people first" language when referring to people with disabilities in all Indiana laws.
- SCR 11 - This resolution would encourage medical schools to require that certain medical students complete a rotation in a clinic that treats autism.

For more information as to how these bills progress throughout the session, visit the General Assembly's Web site at www.in.gov/legislative/. More information about their effect on the disability community is available on the

legislative page at The Arc's Web site at www.arcind.org.

Goodman v. Georgia ruling announced

The long-awaited Supreme Court ruling in the case of Goodman v. Georgia came through Jan. 10 as a victory for the disability community.

The Supreme Court ruled that Congress has the authority to apply the Americans with Disabilities Act (ADA) to state prisons, at least insofar as it reaches conduct that could also be challenged under the 14th Amendment.

Tony Goodman, a state prison inmate who also has paraplegia, sued the state of Georgia because prison officials would not assist him in reaching the bed or toilet in his cell.

The decision states that while the justices have disagreed about the scope of Congress' power to bar conduct that goes beyond the reach of the Constitution, no one doubts that Congress has the power to pass laws that enforce the 14th Amendment by creating remedies against the states for conduct that actually violates this amendment.

Visit

www.bazelon.org/issues/disabilityrights/resources/goodman.htm to learn more.

Study verifies national housing affordability crisis

The biennial report, Priced Out in 2004, that measures the monthly Supplemental Social Security Income (SSI) of more than 4 million Americans with disabilities to fair market rental rates, has revealed troubling news regarding affordable housing. The study found people with disabilities on average are paying 109 percent of their monthly SSI to rent a modest one-bedroom apartment and 96 percent to rent an efficiency apartment at fair market value. This has increased from two years ago, when Priced Out found SSI beneficiaries with disabilities were paying 105 percent of their monthly income to rent a modest one-bedroom unit at the published fair market rent.

By federal definition, "affordable" is housing for which people pay rent and utility costs of between 30-40 percent of their monthly income. There are two ways to make housing affordable. The first is "project-based" rent subsidies, which are affixed to specific dwelling units. The second is "tenant-based" housing vouchers used by individuals who can take the voucher and apply it to any unit. In Indiana, there are more than 17,000 affordable project-based housing units owned by public agencies. There are also nearly 38,000 tenant-based housing vouchers - nearly two times larger than the number of housing units owned by public housing authorities.

In the past 15 years, Congress has allocated tax credits for low-income housing. Between 1991 and 2002, more than 16,400 of these units were put into use in Indiana. The Low Income Housing Tax Credit (LIHTC) program is administered by the Indiana Community Development Housing Authority. Under federal mandates, the LIHTC units' rent must be "affordable" to persons whose household income is 50-60 percent of the area's median income. A person with a disability on SSI is approximately at 20 percent of the area median income. Thus, many persons whose income is solely SSI cannot afford to rent these "low income" units. They could, however, if they also had a tenant-based voucher.

Recipients of the LIHTC cannot discriminate against persons who use a housing voucher to supplement their income. With a tenant-based voucher, "affordability" for persons on SSI can be a reality. Without this voucher or other rental subsidy, SSI recipients cannot normally afford to pay the rent.

To view the entire report, visit www.c-c-d.org/pricedout04.pdf.

HUD study on housing accessibility reveals concerns

A recent report released to Congress by the U.S. Governmental Accountability Office details the lack of accessible public housing available for the elderly and people with disabilities. HUD's data reveals less than 5 percent of the units in 64 of the 76 public housing projects studied

meet accessibility standards. This means 84 percent are in violation of Section 504 of the Rehabilitation Act of 1973.

Some of the violations HUD found include elevators that were not large enough for a person in a wheelchair to turn around in and entrance doorways that were not wide enough for a wheelchair or power scooter to enter.

In the 33 years since the Rehabilitation Act passed, compliance with guidelines remains low. To help encourage greater compliance, advocates can ask their housing agency if 5 percent of the housing units in the area are accessible. Advocates can also visit the buildings to view the exteriors and check with agencies to see if people with disabilities are living in the accessible units and/or if there are any plans to reach the 5 percent minimum.

For more information on this study, visit www.stevegoldada.com and click on Housing.

Lafayette organization earns national award

Breaking New Ground Resource Center and Outreach Program has been honored with a 2005 New Freedom Initiative from the U.S. Secretary of Labor for its support of people with disabilities. "It came as a surprise," said Extension Safety Specialist Dr. Bill Field. "This is the best kind of award because it came from the outside; it came from others."

Breaking New Ground started in 1979 when a farmer with paraplegia called Purdue University looking for assistance in getting back onto his tractor. The result was a tractor lift, which enabled him to mount the tractor and return to his livelihood. Since then, Breaking New Ground has expanded its services. It now supports projects in 28 states to provide rehabilitation services to farm and ranch families affected by disabilities.

Over the past 25 years, Breaking New Ground has provided resources for an estimated 30,000 agricultural workers, responded to more than 17,500 calls on its toll-free helpline, and developed more than 50 technical and educational

resources related to disability and agriculture. What has not changed, however, is the mission of the program to cultivate greater independence for all people with disabilities, especially those involved in the production of food and fiber.

For more information on Breaking New Ground, call (800) 825-4264 (voice) or visit www.breakingnewground.info.

Of Note

ADAPT to host testimonials on long-term care system
American Disabled for Attendant Programs Today (ADAPT) is hosting a program, titled "Real People - Real Voices," March 19 in Nashville, Tenn., for those with disabilities who have experienced America's institutional system. ADAPT is inviting those who have been in or are currently in a nursing home, developmental disability facility, residential hospital facility or mental health facility to participate. The program will take testimonials from 100 individuals. If you would like to participate, visit www.adapt.org/micasaalerts/ and click on Real People - Real Voices Invitation. The application form is due by Feb. 15. For more information, call (512) 442-0252 (voice).

Order Disability Awareness Month materials now
Disability Awareness Month begins March 1. To order your free materials, visit www.in.gov/gcpd or contact Kim Dennison at (317) 631-6499 (fax), kdennison@bjmpr.com (e-mail) or (317) 631-6400 (voice).

Calling all artists:

Join ArtsWORK Indiana's online directory
ArtsWORK Indiana - a collaborative organization of volunteers, VSA arts of Indiana and the Indiana Arts Commission - has an online directory that lists Indiana arts workers with disabilities. For more information on how to be listed, contact Jane Harlan-Simmons at (800) 825-4733 (voice) or jeharlan@indiana.edu (e-mail).

Reminder: Enroll in Medicare Part D now
Open enrollment in the new Medicare Part D prescription drug plans continues through May 15. If you have questions or would like assistance choosing a prescription drug plan,

call Indiana's Senior Health Insurance Information Program (SHIIP) at 1-800-452-4800. SHIIP counselors are trained to use the online plan comparison tool available on the Medicare Web site.

Sign up for the Council E-News

Council E-News is a bimonthly newsletter featuring updates on public hearings, policy issues, conferences and other Indiana-related issues. To subscribe, send your name and e-mail address to cdahlberg@gpcpd.org (e-mail). For more information, contact Christine Dahlberg at (317) 232-7774 (voice).

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