

On Target

Informing Indiana About
Disability Issues

Indiana Governor's Council for People with Disabilities.

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ADA anniversary celebrates independence

Indiana Disability Poll identifies health care concerns

As health care moves to front and center on the national stage and Indiana enters into public debate, the newly released 2007 Indiana Disability Poll weighs in on health care as a major concern facing Hoosiers with disabilities.

According to the survey's results, the top three areas needing improvement in Indiana's current health care system are:

- More coverage and services, such as those for durable medical equipment and devices, mental health services, prescription drugs, and vision and dental treatment.
- Improved administration to decrease red tape and paperwork.
- Lower costs, co-pays and insurance premiums.

The poll — which is a joint project of the Indiana Governor's Council for People with Disabilities, the Indiana Institute on Disability and Community, and Indiana Protection and Advocacy Services — highlights health practices, concerns and preferences of 651 people with disabilities as provided between November 2006 and March 2007.

The largest percentage of respondents (37 percent) had household incomes of \$25,000 or less, and 13 percent of this low-income group reported having no insurance coverage. For those who are covered, insurance is primarily provided through Medicaid and Medicare. This contrasts with respondents with household incomes greater than

\$50,000, who reported their health insurance coverage comes primarily through work.

Likewise, only 38 percent of those with household incomes less than \$25,000 said they receive needed health care. This contrasts with 57 percent of respondents whose household incomes are greater than \$50,000.

“Representing slightly more than 19 percent of Indiana’s population, there are approximately 379,000 men and 498,000 women in our state who have disabilities,” according to Suellen Jackson-Boner, executive director of the Governor’s Council. “We co-sponsored the survey to help shape the debate on health care policy and influence future plans as models are being proposed. We want to ensure that people with disabilities have a voice.”

As Indiana moves toward health care reform, people with disabilities suggested the following priorities:

- Choice of own health providers.
- Coverage to see needed specialists and therapists.
- Low co-pays.
- Dental coverage.
- Preventive care.

For more information, copies of the full survey results or alternative formats, contact Vicki Pappas at the Indiana Institute, cpps@indiana.edu or (812) 855-6508 (voice).

New Priority Medicaid Waiver available for people with developmental disabilities

People with developmental disabilities who are cared for by individuals age 80 or older may now qualify for a Priority Medicaid Waiver slot. The Bureau of Developmental Disability Services (BDDS) was recently notified that individuals meeting all of the following criteria are eligible for a Priority Medicaid Waiver slot and will be served under the Developmentally Disabled (DD) Waiver. The criteria are:

- Meet the state’s definition for a person with a developmental disability.
- Meet federal criteria for admission into ICF/MR Level of Care (Intermediate Care Facility for people with Mental Retardation).

- Cared for by an individual age 80 or older.

Individuals age 55 or older may have received an informational letter from the BDDS Central Office alerting them of the newly approved priority criteria under the DD Waiver. Follow-up certified letters were also delivered to explain the opportunity in further detail. However, people with developmental disabilities need not receive a letter to qualify — anyone meeting all criteria will be eligible for the new opportunity. In cases where an eligible individual did not receive a certified letter embedded with an identification number, an affidavit stipulating that the primary caregiver is age 80 or older will be required.

BDDS is a bureau of the Family and Social Services Administration (FSSA). Visit www.in.gov/fssa for more information.

Managed care contracts curb Medicaid spending

The Family and Social Services Administration (FSSA) will help cut the state's Medicaid costs for Indiana seniors and Hoosiers with blindness and other disabilities through managed care contracts. FSSA is negotiating deals with MDwise Inc. and Advantage Health Solutions, both Indianapolis-based health care plans, to provide care management and other services, such as call centers to help patients manage chronic diseases. The new contracts are expected to take effect sometime this fall.

Currently, providing care for Hoosiers with disabilities and Indiana seniors — fewer than 200,000 residents — accounts for two-thirds of Indiana's Medicaid spending, or about \$3 billion. The new managed care contracts are expected to save \$1 billion on management of chronic diseases such as heart problems, diabetes and cancer. Savings may not show during the first year, however, as it will take time to determine where costs can be reduced.

Sensitive to the needs and concerns of seniors and people with disabilities, FSSA will slowly introduce individuals to the new managed care programs. A gradual enrollment process is targeted to begin Oct. 1, 2007. The contracts are initially for four years and have two one-year extension options.

Despite FSSA's promise of a gradual transition, long-term concerns remain: Some are worried that the programs may not fully accommodate the needs of people with disabilities over the duration of

the contracts. The programs will require sorting through options and adapting to new doctors, which could pose difficulties for some individuals.

In some instances, managed care has proven to be a successful solution to curtailing Medicaid spending for Indiana. The state saved \$50 million last year through the Hoosier Healthwise managed care programs for pregnant women and children. Such agreements allow outside vendors to assume some of the financial risk involved with health care in return for a share of the profits.

More information about the new programs will be shared as it becomes available.

Silvercrest savings may not fund disability programs

The \$6 million Indiana will save as a result of closing the Silvercrest Children's Development Center in New Albany was expected to be used for other state disability programs. However, this plan was recently aborted when lawmakers decided to allocate the money to the state's general fund. Under the original plan, the savings would have been used for leveraging additional Medicaid funding from the federal government — generating up to \$24 million annually for disability programs.

However, House Budget Subcommittee Chairman Bill Cochran, D-New Albany, defended the decision by saying state officials didn't provide enough detail about what they planned to do with the money to justify using it for disability programs. "I would've let them have it if they'd earmarked how they would spend it," Cochran told the Associated Press.

One of the reasons the Arc of Indiana supported the closing of Silvercrest was the understanding that the money would continue to serve people with disabilities. The organization will continue to lobby for the money to be allocated to disability funding. "We're not giving up on that," said Arc President John Dickerson to the Associated Press. "We're coming back to the governor and the State Budget Committee about this."

The money from the closing of the Ft. Wayne State Developmental Center is still slated for allocation into other state disability programs.

Silvercrest was a residential school home that cared for children with a

variety of disabilities. Prior to closing its doors in May 2006, the school home served approximately 44 youths and had a waiting list of more than 15,000 children and adults with disabilities.

According to the Arc of Indiana, after the closing of Silvercrest and the Ft. Wayne State Developmental Center, Indiana is now the largest state without a state-operated institution for people with developmental disabilities.

Preparing for back-to-school time

If your child has trouble transitioning from the lazy days of summer back to the classroom, there are many things you can do to help prepare them, as well as yourself, for the start of a new school year.

The following suggestions are from KidsHealth and the American Academy of Pediatrics:

- If your child is headed to a new school, take him on a pre-first-day tour. Help find classrooms and other places of interest, such as the cafeteria, gymnasium and library. That way, your child will feel more comfortable with his surroundings.
- Prepare school supplies the night before the first day of school. By packing your child's backpack the night before, you avoid chaos on the morning of the first day. Also, when buying school supplies, let your child pick out a few items so she feels involved in the process.
- If possible, schedule a time to introduce your child to his new teachers and administrators. Many schools have orientation days where children can see their classrooms and meet their teachers. Attending one of these may help ease concerns.
- Position the upcoming school year as a way to make new friends. Encourage your child to introduce herself to other students because they may feel just as anxious.
- Remind your child that everyone feels anxious on the first day. Even teachers get nervous! Suggest that he asks questions if unsure about something.

For children with disabilities, parents may also want to discuss the year's academic goals and review their child's Individualized Education Plan (IEP) with a new teacher. Also, if children are old enough to understand an IEP, parents may want to review it with them as well.

According to Lisa B. Wershaw, special education attorney for Conrad

O'Brien Gellman & Rohn, P.C., and mother of a child with a disability, IEPs should include location, frequency, projected beginning date and anticipated duration of each specially designed service. Also, each plan should contain annual goals and short-term objectives that are time-oriented to allow for progress monitoring.

For more information, visit the Indiana Department of Education's Division of Exceptional Learners' Web site at www.doe.state.in.us/exceptional/speced/welcome.html.

Attorneys not required in certain education lawsuits

The Supreme Court recently ruled in *Winkelman v. Parma City School District* that parents of children with disabilities do not need a lawyer to sue school districts when they disagree with their child's education plan.

The court found that the Individuals with Disabilities Education Act (IDEA), the main federal special education law that gives rights to children for a "free appropriate public education," also gives rights to parents at different legal stages.

Since parents have rights under the law, they can represent their child in federal court. The court did specify that once the case becomes a civil lawsuit, an attorney must be hired. The decision stems from parent complaints that it is expensive and difficult to find attorneys who will take such cases.

This was the experience of Jeff and Sandee Winkelman, who could not afford to hire a lawyer to dispute with the Parma, Ohio, school district over the education of their son, Jacob, who has autism. The Supreme Court ruling allows the Winkelmans, and any parent unhappy with their school district's education plan to meet their child's special education needs, to sue without attorney representation.

More information on the Supreme Court's opinion can be found at www.supremecourtus.gov/opinions/06pdf/05-983.pdf. If you have questions regarding this legal opinion, call Indiana Protection and Advocacy Services at (800) 622-4845 (voice).

Calumet campus group earns accessibility award

The Purdue University Calumet (PUC) student organization Hoosier ADAPT received a 2007 "Focus Award" for furthering the university's

commitment to disability accessibility.

Hoosier ADAPT advocates for students with disabilities and emphasizes inclusion for all students. It was founded in 1999 by Andrea K. Pepler-Murray, recent PUC graduate and former Hoosier ADAPT president who is also a board member of the Indiana Governor's Council for People with Disabilities.

Pepler-Murray founded the group when she encountered difficulties while trying to maneuver through PUC's campus in her wheelchair, especially in the restrooms and hallways. She saw a need to heighten awareness of and accessibility for those with disabilities.

Under Pepler-Murray's leadership, Hoosier ADAPT, which has 20 members, has been active in various campus activities, including an art show; an inclusion presentation; and opportunities for campus administrators, staff and faculty to experience life with a disability.

Hoosier ADAPT was nominated for the award by Michaeline Florek, Purdue Calumet coordinator of services for students with disabilities.

For more information on Hoosier ADAPT, visit life.calumet.purdue.edu/hoosieradapt

Of Note

Keynote speakers chosen for conference

At this year's Indiana Conference for People with Disabilities, Kathie Snow and Richard Pimentel will serve as keynote speakers. Snow, who will speak at the conference's opening session Nov. 27, is author of "Disability is Natural: Revolutionary Common Sense for Raising Successful Children with Disabilities," which is the culmination of her 14 years of experience as a public speaker, trainer and consultant on disability issues. Pimentel, who will speak at the awards luncheon Nov. 28, will offer a powerful presentation on how we all have the ability to make a difference by tapping into the qualities of leadership in each of us.

By highlighting his life story, captured in the movie "Music Within," he focuses on leadership not by what we know, but rather by who we are and what we do. Conference registration materials will be mailed in mid-September.

Arc of Indiana to host student conference

Middle and high school students with disabilities and their families are invited to attend "Champion Your Future: A Game Plan for Life," a conference hosted by the Arc of Indiana on Saturday, Aug. 18. Nationally known speakers Brett Eastburn, Micha Fialka-Feldman and Vicki Lein will lead keynote sessions and concurrent workshops. The conference, which will be held at Hamilton Southeastern High School in Fishers, Ind., will start with registration at 8:30 a.m., and the program will last from 9:30 a.m.–4 p.m. For complete conference and registration information, visit www.arcind.org and click "Upcoming Events."

Community Spirit Award nominations now closed

Thank you to all who submitted nominations for the Council's Community Spirit Awards. The winners will be honored at the Awards Luncheon at this year's Indiana Conference for People with Disabilities on Nov. 28.

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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