

On Target

Informing Indiana About Disability Issues
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The dilemma in allocating Medicaid waivers

In the world of Medicaid waivers, there are two sides to the story. There are people who already have waiver services and want to keep them. Then, there are thousands of individuals on waiting lists to receive waiver services. With Indiana’s new budget just a few weeks old, actions are being taken by lawmakers to reallocate funds. As these dollars are redistributed, both sides of the Medicaid dilemma must be considered.

In a recent blog post on The Arc of Indiana’s new Web site, John Dickerson, The Arc’s executive director, shed some light on this growing concern. “In this era of person-centered planning and individual Medicaid waiver budgets, there are competing interests. On one hand, there is the individual and his or her goals, needs and dreams. On the other hand, there is the ‘greater good’ to thousands of people who are waiting for services,” said Dickerson.

In the 4th annual Case For Inclusion Report recently released by United Cerebral Palsy (UCP), Indiana ranks 42nd among all 50 states and the District of Columbia for how well it provides community-based supports — including waivers — to Americans with intellectual and developmental disabilities (ID/DD) being served by Medicaid.

Other findings from the report, titled “An Analysis of Medicaid for Americans with Intellectual and Developmental Disabilities,” include:

- Of Indiana Medicaid recipients with ID/DD, 71.3 percent are on a home- and community-based services (HCBS) waiver, compared to the U.S. average of 83.9 percent.
- Only 1.1 percent of Hoosier Medicaid recipients with ID/DD live in large institutions (16 or more residents), compared to the U.S. average of 4 percent.
- Per 100,000 of Indiana’s population, there are 229 people with ID/DD receiving services, compared to the U.S. average of 304.

In Indiana, there are three Medicaid waivers designated for people with developmental disabilities, and individuals can apply for up to all three of these waivers. Each of Indiana’s Medicaid waivers has a fixed number of individuals that can be served in an approved waiver year. According to the Indiana Family and Social Services Administration (FSSA), the number of people on waiting lists for these three waivers is:

- Persons with Developmental Disabilities Waiver 18,496
- Autism Waiver 4,771
- Support Services Waiver 11,921

The next individuals who will be targeted to receive services are those who applied for these three waivers on the following dates:

- Persons with Developmental Disabilities WaiverNov. 7, 1998
- Autism WaiverFeb. 18, 1999
- Support Services Waiver Oct. 7, 2002

This means that once the state is able to provide services to more individuals, those individuals who applied on these dates will be targeted to receive the waivers.

To help resolve the dilemma between continuing to serve current Medicaid recipients and helping others get the services they need, Dickerson suggests compromise is necessary. For individuals currently receiving services, “A way needs to be found to move from a culture of getting everything you can now, because it may not be here tomorrow, to a culture of using only what you truly need,” Dickerson wrote in his blog.

For those waiting for services, Dickerson says new ways must be found to bring people off of waiting lists. He suggests one approach that would provide people waiting for a Medicaid waiver with an annual amount of \$3,500 for respite and/or minimal supports.

“There is no doubt that creativity and new ideas are needed in these difficult economic times. The Arc is committed to finding ways to meet people’s needs, develop a stable provider base, and ensure an affordable, quality system of home- and community-based services,” said Dickerson.

To learn and read more, visit The Arc of Indiana’s Web site at www.arcind.org.

Indiana receives \$137 million in federal funds for CHIP

The U.S. Department of Health and Human Services (HHS) announced in June that \$6 billion in new federal funds will be made available to states and U.S. territories for fiscal year 2009 to provide health care to millions of children through their Children’s Health Insurance Program (CHIP). Of these new funds, Indiana has been allotted more than \$137 million.

The new funds were made available by the Children’s Health Insurance Program Reauthorization Act of 2009 (CHIPRA), which was signed into law by President Barack Obama on Feb. 4. The extra funds will help states and territories, including Indiana, maintain and expand their CHIP programs.

“Through CHIPRA, states and territories will receive additional funds to provide health insurance to 11 million children, including 4 million who were previously uninsured. Parents now have more help if their children fall ill,” HHS Secretary Kathleen Sebelius said in a news release.

CHIP provides health insurance for children of working families whose incomes are too high for traditional Medicaid, but too low for either employer-sponsored family plans or other private coverage. Although CHIP is optional, each state and territory operates a

program. In Indiana, CHIP is a part of Hoosier Healthwise, the state's health insurance program. To learn more, visit www.insurekidsnow.gov.

Voting accessibility increased in 2008 general elections

An estimated 27 percent of polling locations across the United States did not pose potential barriers for people with disabilities during the 2008 presidential election, an 11 percent increase from 2000, according to a report released by the U.S. Government Accountability Office (GAO). The GAO visited 84 polling locations across 31 states — including facilities in Elkhart, Huntington and Marion counties in Indiana — on Election Day 2008 to evaluate voting accessibility for people with disabilities.

The interim report compares the 2008 results to those of the GAO's survey of the 2000 presidential election, which found that only 16 percent of polling locations did not pose any barriers. The GAO observed features and voting methods that could impede access for people with disabilities and also conducted interviews with polling officials.

The comparison is intended, in part, to determine the impact of the 2002 Help America Vote Act, which requires polling places to have at least one voting system accessible for people with disabilities. Prior to the 2008 survey, it was unknown the extent to which state and local practices had improved accessibility to comply with the law.

Initial findings of the 2008 nationwide survey include:

- Of the polling locations that did have potential barriers, 45 percent offered curbside voting. However, curbside voting is not legal in Indiana.
- 16 percent of the locations had four or more potential barriers.
- Potential barriers at building entrances, such as narrow doorways, decreased from 59 percent in 2000 to 25 percent in 2008 — the most significant improvement.
- Almost all polling places had at least one voting system, generally an accessible voting machine in a voting station, to facilitate private and independent voting for people with disabilities. However, 29 percent of the voting stations were not arranged to accommodate a wheelchair.
- 77 percent of polling places had voting stations with accessible machines that offered the same or more privacy than stations for other voters.

Currently, state/county-specific results are not available; however, the GAO will release a more detailed report later this year. To review the complete interim report, visit The United States Government Accountability Office Report to Congressional Requesters document at www.gao.gov/new.items/d09685.pdf.

Nationally recognized speakers to be featured at 2009 Conference

The 2009 Conference for People with Disabilities will bring a lineup of several nationally recognized speakers to Indianapolis on Nov. 16 and 17.

The 2009 Conference, themed “Invest in People and Share in the Profits,” will feature keynote speaker Andrew Imparato, president and CEO of The American Association of People with Disabilities (AAPD). Imparato will share information on the gains and losses for the disability community at the federal level, in addition to discussing and debating critical issues. As president and CEO of the largest nonprofit cross-disability member organization in the nation, Imparato organizes the disability community to be a powerful force for change — politically, socially and economically.

Award-winning toy designers and authors Charlie and Maria Girsch will bring fun and interactivity to the Conference. Audience members will be invited to unleash their creativity by participating in interactive exercises. In the mid-90s, the Girsches founded Creativity Central, a speaking and consulting business. Their curriculum has become the basis for their renowned seminars, keynotes and training sessions. Conference attendees will also receive a copy of the Girsch’s book, “Fanning the Creative Spirit: Two Toy Inventors Simplify Creativity,” and have the opportunity to have their book signed by the authors.

The 2009 Conference will also include presentations focusing on health care reform, employment and careers, emergency planning, health and wellness and much more.

Registration materials for the Indiana Conference for People with Disabilities will be mailed in September. Materials are also available on the Council’s Web site at www.in.gov/gpcpd.

EEOC more aggressively pursuing disability claims

According to an article in the June edition of “The National Law Journal,” the Equal Employment Opportunity Commission (EEOC) is becoming more aggressive in pursuing workplace disability claims. The EEOC has filed disability bias lawsuits against several employers nationwide in recent months:

- *EEOC v. Kmart*: The retailer was sued for allegedly firing a store greeter because the man had to use a cane on the job, according to the suit filed in federal court in the Eastern District of Virginia.
- *EEOC v. Beverage Solutions Inc.*: Allegedly, the company unlawfully refused to reasonably accommodate the needs of a customer service representative who has severely blocked arteries and needed medical leave. According to the lawsuit, the company denied her leave and fired her due to her disability.
- *EEOC v. United Airlines*: A class-action suit has been filed against the airline in the Northern District of California, alleging the carrier made it too hard for workers who acquired a disability to switch to other jobs.

The EEOC says these cases highlight a growing trend in the workplace, noting that disability bias complaints rose to 19,453 in 2008 — a 10 percent increase from 2007, and the highest level in 14 years.

Indiana has experienced a slight decrease in disability bias complaints, from 100 in 2007 to 89 in 2008, according to the Indiana Civil Rights Commission.

“Although it’s uncertain why claims are down, it is possible companies are becoming more aware of the disability discrimination laws,” said Melissa Deering, program manager for the Indiana Civil Rights Commission.

To learn more about the EEOC or the Indiana Civil Rights Commission, visit www.eeoc.gov and www.in.gov/icrc, respectively.

Obama establishes Office of Olympic, Paralympic and Youth Sport

President Barack Obama has announced the formation of the White House Office of Olympic, Paralympic and Youth Sport. The goals of this permanent office are to encourage more youth participation in athletics and to enhance awareness of the Olympic movement through promotion of its fundamental principles.

The new office will:

- Recommend federal policies and programs to improve opportunities and access for youth participation in sports.
- Encourage youth sporting, educational and cultural events involving Olympic values-based programs.
- Work with the Departments of Education and Health and Human Services to coordinate federal resources, act as a liaison to Olympic and Paralympic Games, organize committees and increase access and opportunities for youth to participate in sports.

“It is important to give our nation’s children every possible tool they need to grow, learn and succeed in life,” said President Obama. “A key part of this is increasing access to healthy, constructive activities, like sports, for our nation’s children.”

To find out more about the Olympic principles, visit http://multimedia.olympic.org/pdf/en_report_122.pdf.

Of Note

Share your opinions at upcoming conference

The Arc of Indiana's 2009 Conference and Appreciation Luncheon will take place Oct. 1 at the Indianapolis Convention Center for individuals in the disability community who want to share their opinions about critical issues impacting people with developmental disabilities and their families. The Conference, including lunch and parking fees, costs \$15 for self-advocates, \$19 for family members and \$35 for professionals. To learn more and register, visit www.arcind.org or call (800) 382-9100 (toll free, voice).

Grants available for child health services

The United Health Care Children's Foundation (UHCCF) is accepting grant applications from families in need of financial support for children's medical treatment, services or equipment not covered or fully covered by health insurance. To be eligible, children must be 16 years of age or younger, and families must meet economic guidelines, reside in the United States and be covered by a commercial health benefit plan, either through an employer or individually purchased. To apply and learn more, visit www.uhccf.org or call (952) 992-4459 (voice).

Governor's Conference on Service and Volunteerism

The 2009 Governor's Conference on Service and Volunteerism, conducted by the Indiana Office of Faith-Based and Community Initiatives (OFBCI), will take place Friday, Oct. 29, and Saturday, Oct. 30. The two-day event is open to anyone who volunteers for or is employed by a not-for-profit organization. The registration fee is \$139 for those who register on or before Sept. 25, \$199 if registering between Sept. 26 and Oct. 23, and \$250 for day-of registration on Oct. 29 or 30. To learn more, visit www.in.gov/ofbci and click on the "Register Now" button in the Governor's Conference box, or call (317) 233-4273 (voice).

Save the date!

The 2009 Conference for People with Disabilities, themed "Invest in People and Share in the Profits," will take place Monday, Nov. 16, and Tuesday, Nov. 17, at the Hyatt Regency in downtown Indianapolis.

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.