The Fight for Community-Based Care
by Daniel Lawton, Disaboom

On June 24, 1997, then Speaker of the House Newt Gingrich introduced the MiCASA bill to the cheers of millions of Americans living with disabilities. The legislation—lobbied for by a consortium of disability rights groups—was intended to eliminate the institutional bias that made it difficult for individuals to use their Medicaid payments for community-based attendant care instead of nursing homes. Despite bi-partisan support, the bill never made it to a vote.

Fast-forward 11 years and the problem of institutional bias not only still exists, but continues to grow.

According to recent Congressional testimony by Andrew J. Imparato, president of the American Association of People with Disabilities (AAPD), there are currently over 53,000 individuals with developmental disabilities on waiting lists for community-based care. When all individuals with disabilities are included, that number rises five-fold.

“Today, in America, the land of the free, we have over a quarter of a million people in captivity—living in institutions for the sole reason that the federal money stream for the services they require only provides services in those environments,” Imparato said, at a Congressional hearing on July 10, 2007.

Imparato and other disability advocates are urging Congress to pass The Community Choice Act, a piece of legislation that is similar in spirit and intent to MiCASA. The fundamental principle touted by the bill’s advocates is a simple one: disability benefits should be allocated towards care by the person who receives them, not by the government.

“This legislation gives people a choice in every state about whether or not they want to live in a nursing home,” says Shelia Dean, an ADAPT activist who spent two different stints in a nursing home. Dean eventually received assistance from the Atlantis community in Denver, CO, a non-profit organization that helps those with disabilities transition from nursing homes to community-based care. The second oldest independent living center in the nation, the center is cited by many as a model for how the Community Choice Act could improve the lives of those with disabilities at a national level. It uses a mix of government funding, grants, and donations to provide “an alternative to nursing homes.”

The center shares a building with ADAPT, and many of its members that were integral in the push for accessible public transportation in the early 90s, are now working for the passage of the Community Choice Act. “Right now, getting people out of nursing homes who want to live in a community is our number one issue,” says ADAPT member Dawn Russell.
Economic Stimulus Payments: Information for Recipients of Social Security Benefits

Source:http://www.irs.gov/

The IRS and Treasury will be working closely with the Social Security Administration to ensure that all eligible individuals know what to do to receive a stimulus payment.

Normally, certain Social Security payments are not subject to income tax. However, the economic stimulus law passed in February contains a special provision allowing Social Security recipients to count those benefits toward the qualifying income requirement of $3,000 and thereby qualify for the stimulus payment.

For eligible Social Security recipients who do not normally file a tax return, the IRS has prepared an 8-page informational package that provides instructions, a sample Form 1040A and a blank Form 1040A: everything needed to file the tax form today.

Basic Eligibility Requirements:

- Individuals or families must have at least $3,000 in qualifying income, which can be income from or in combination with Social Security benefits, Veterans Affairs benefits, Railroad Retirement benefits and earned income.

- People must have valid Social Security Numbers.

- People cannot be claimed as dependents or eligible to be claimed as dependents on another's tax return.

- People must file a 2007 tax form, i.e. Form 1040A.

Even those who normally don't have to file a federal tax return will have to file one this year in order to claim the economic stimulus payment.

For Those Who Have Already Filed

Some recipients of the benefits described above may have filed a 2007 tax return reporting at least $3,000 in qualifying income. They do not need to do anything else. They will begin receiving their stimulus payments in early May.

Others may need to amend a previously filed tax return to include benefits to reach the $3,000 qualifying income level. Adding these benefits on an amended tax return will not increase an individual’s tax liability but will establish eligibility for the stimulus payment. Taxpayers can use IRS Form 1040X to amend a tax return in order to qualify for the stimulus payment. File the form after April 14, 2008, and allow 8-12 weeks of processing time before making any inquiries about the payment.
Public streets and sidewalks present unique access challenges that are not encompassed by existing guidelines or standards. Access at street crossings for pedestrians with vision impairments, on-street parking, and constraints posed by terrain and space limitations are just some of the issues that often arise. The Board is developing guidelines for public rights-of-way that will address these and other issues so that practitioners have an established reference for achieving accessible streets and sidewalks.

While work on these guidelines continues, interim guidance is available from the Board through an active outreach program on rights-of-way accessibility. The Board routinely provides training on the subject to various audiences at different conferences across the country as well as technical assistance on issues and specific projects in response to individual inquiries. In addition, it supports research to collect needed information and has produced design guides and other resources.

The Board also advises state and local jurisdictions on planning and program strategies. For example, Board staff members recently met with several state and local transportation departments. In December, the Board hosted a meeting with personnel from the District of Columbia Department of Transportation (DOT) to discuss a range of issues from drainage at curb ramps to the proper location of detectable warnings. Representatives from the Pennsylvania DOT also visited the Board for a day-long meeting on key rights-of-way access issues and feedback on its efforts to implement agency standards based on rights-of-way guidelines the Board released in draft form. Maryland’s DOT has developed similar guidance for use by its State Highway Administration and has supported data collection efforts, including a consumer evaluation of products used for directing pedestrians around work zones.

Resources available from the Board include a new guide on sidewalk and street improvement projects published by the Institute of Transportation Engineers. *Accessible Public Rights-of-Way: Planning and Designing for Alterations* shows how access can be maximized in existing street- scapes. Design solutions, model sidewalks and case studies are illustrated through photographs and engineering plans. This guide recently received an award from the American Council of Engineering Companies. In addition, a popular video series demonstrating access issues from user perspectives that the Board produced and distributed on disk is now available on the Board’s website. Other resources are posted online on the public rights-of-way homepage.

For more information on rights-of-way access, contact the Board at row@access-board.gov, (202) 272-0025 (voice), or (202) 272-0082 (TTY).
If you would like the newsletter read to you, or if you would like it on tape please contact Jeri for more info.

**Ongoing Events:**
- **Choice Support Group**
  Fourth Tuesday of the month, 10AM - 12PM.
- **General Board Meeting**
  Third Tuesday of the month, 7PM at RIL.
- **Accessible Yoga**
  Every Thursday from 1:30 PM to 3:00 PM at the Clubhouse
- **General Support Group**
  Every Tuesday from 1:00 PM to 3:00 PM at the RIL main office
- **Monday Morning Project**
  Second Tuesday of the month from 10 AM to 12 PM at the Clubhouse

**Upcoming Events:**
- **Columbus Farmers Market Trips**
- **Ride the Ducks and Reading Terminal Market**
- **Dinner and a Play** —set for Fall 2008
- **RIL 1st Annual Run and Roll**
  October 4th at Cooper River Park
- **Annual Members Meeting**
  Details will be sent soon

Call Jeri for information on all events.

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**Brain Teaser**

A man wants to transport a fox, a chicken and some corn across a river. He has a rowboat, but it can only carry the man and one other item. If the fox and the chicken are alone together, the fox will eat the chicken. If the chicken and the corn are alone together, the chicken will eat the corn. How does the man do it?

(Answer on the bottom of page 6)

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**Quotable Quotes!**

“One way to get the most out of life is to look upon it as an adventure.”
- William Feather

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**Vocabulary Builder**

inculcate—in-KUHL-kayt, *transitive verb*: To teach and impress by frequent repetition or instruction.

“It is difficult, if not impossible, to inculcate in those who do not want to know, the curiosity to know; I think it is also impossible to kill this need in those who really want to know.” – T.V. Rajan, “The Aha! Factor”, *The Scientist*

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“I’m feeding a cold and starving a fever”
WASHINGTON – New guidance released this week by the Departments of Housing and Urban Development (HUD) and Justice (DOJ) reinforced the right of persons with disabilities to make “reasonable modifications” to their dwellings if a structural change to their dwelling or to a common area of the building or complex in which they live is needed so that they can fully enjoy the premises.

The guidance is designed to help housing providers and homeowners’ associations better understand their obligations and help persons with disabilities better understand their rights regarding the “reasonable modifications” provision of the federal Fair Housing Act (FHA).

“The right to reasonable modifications is essential to ensuring that persons with disabilities can fully enjoy the homes in which they live,” said Grace Chung Becker, Acting Assistant Attorney General for the Justice Department’s Civil Rights Division. “This guidance will help housing providers understand their obligations under this important component of the Fair Housing Act.”

“Persons with disabilities have a right to have the place they call home altered in a way that will enable them to fully enjoy it,” said Kim Kendrick, HUD’s Assistant Secretary for Fair Housing and Equal Opportunity. “This guidance is a major step toward enforcing that right today, and for generations to come.”

The FHA prohibits discrimination in housing based on disability, race, color, religion, national origin, sex and familial status. HUD and DOJ share responsibility for enforcing the FHA. HUD is the agency with the primary responsibility to investigate individual complaints of discrimination. The Secretary of HUD, on his own initiative, may file complaints alleging discrimination. In addition, the Attorney General may commence a civil action in federal court when he has reasonable cause to believe that person(s) are engaged in a pattern or practice of discrimination or that a group of persons has been denied rights protected by the FHA.

One type of discrimination prohibited by the FHA is the refusal by housing providers or homeowner associations to permit a reasonable modification – i.e., a structural alteration – of existing premises, occupied or to be occupied by a person with a disability, when the modification may be necessary to afford the person full enjoyment of the premises. Although the housing provider or homeowner association must permit the modification, the tenant (or prospective tenant) is responsible for paying the cost of the modification. Examples of reasonable modifications include widening doorways to make rooms more accessible to persons who use wheelchairs or installing a ramp to provide access to a public or common use area, such as a clubhouse.

The guidelines are available online at both www.usdoj.gov/fairhousing and www.hud.gov/offices/fheo/disabilities.
Parents with Disabilities
support group forming!

Are you a parent with a disability with a child between the ages of birth and 17? Are you a parent-to-be with a disability looking for resources?

Join us for a “Right to Parent Network”, a support group for parents with disabilities.

Meetings will be held one evening a month in RIL’s Clubhouse. Date to be determined.

If interested please contact Sara at awc05@verizon.net or 508-397-3532.

The Fight for Community-Based Care (continued from page 1)

Besides the benefits to the disability community, the legislation has the potential to save taxpayers billions of dollars as well. A 2006 study conducted by the University of California San Francisco and the University of Maryland found that when compared with Medicaid institutional care, home-and community-based waivers were on average $43,947 cheaper per participant. Currently, 63% of the $94.5 billion that Medicaid allocates for long-term care goes towards institutional care—making the argument for The Community Choice Act a fiscally sound one.

But, does the bill have the Congressional support it needs?

Introduced by Senator Tom Harkin (D-IA) and Congressman Danny Davis (D-IL), the legislation currently enjoys widespread support with 82 co-sponsors in the House and Senate. It’s also supported by Democratic presidential candidates Hillary Clinton and Barack Obama, making proponents optimistic that the bill will become law under a Democratic president. However, in order to get through Congress, the legislation will need to be prioritized—a tough task considering the likelihood of the flailing economy and the Iraq war to take precedence in the next administration.

Senator Arlen Specter (R-PA), one of the bill’s earliest proponents, has made the urgency of the situation clear. “The time has come for concerted action in this arena,” Specter said.

For the hundreds of thousands of Americans in nursing homes, Mr. Specter’s words provide hope that a new, progressive philosophy for dealing with long-term disabilities is just around the corner.

Answer to Brain Teaser: He takes the chicken and then comes back. He then takes the fox and brings the chicken back. He then takes the corn and comes back. Finally he takes the chicken.
Healthy eating and older adults
Source: Caroline Rea, RN, BS, MS body.aol.com/conditions/healthy-eating-and-older-adults

Although older adults can meet their nutritional needs by following the food guide pyramid, certain nutrients can help reduce the effects of diseases that are more common among older adults. These diseases include osteoporosis, obesity, high blood pressure, diabetes, heart disease, cancer, gastrointestinal problems, and chronic undernutrition.

Older adults need more folate (folic acid) and vitamins B6 and B12 than younger adults to prevent some of the decline in the age-related ability to think, learn, remember, and reason (cognitive function) and to reduce risk for coronary artery disease (CAD). Older adults need more calcium and vitamin D than younger adults to reduce risk for osteoporosis.

The antioxidants vitamin E, beta-carotene, and vitamin C (ascorbic acid) may affect cataract formation and age-related macular degeneration. Vitamin C (ascorbic acid), vitamin A, zinc, and protein are important in wound healing, and older people with diets deficient in these nutrients may have problems with healing. Vitamin K plays an essential role in bone density, and there may be a relationship between vitamin K status and risk of osteopenia.

Most experts agree that older people may eat less food than they need—this means they take in fewer calories and nutrients. This is often because of problems unique to aging.

<table>
<thead>
<tr>
<th>Problem</th>
<th>Solution</th>
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<tbody>
<tr>
<td>Oral health problems (lack of teeth, sore gums, poorly fitted dentures)</td>
<td>• Fruit: Try fruit juices or soft canned fruits, like applesauce and peaches.</td>
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<td>• Vegetables: Try vegetable juices or mashed cooked vegetables.</td>
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<td>• Meat: To get protein, try ground meat, eggs, milk, cottage cheese, cheese, yogurt, legumes such as split pea soup and hummus, and foods made with milk, like pudding and cream soups.</td>
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<td>Restricted movement may make it difficult to get out of the house, go shopping, or prepare food.</td>
<td>• Ask a local food store to deliver groceries to your home.</td>
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<td>• Contact a volunteer center and ask for help.</td>
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<td>• Ask a family member or neighbor to help you.</td>
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<td>• Get help from Meals on Wheels.</td>
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<td>Cooking is difficult (spouse who did most of the cooking has passed away, or it's physically difficult to cook).</td>
<td>• If you are able, take a cooking class.</td>
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<td>• Use a microwave oven to cook TV dinners, other frozen foods, and prepared foods.</td>
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<td>• Take part in group meal programs offered through senior citizen programs. Or, have meals brought to your home (Meals on Wheels).</td>
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<td>• Ask a friend or family member to help you.</td>
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<tr>
<td>Finances are a concern.</td>
<td>• Buy low-cost nutritious foods, like dried beans, rice, and pasta, or buy foods that contain these items, like split pea soup or canned beans.</td>
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<td>• Use coupons for discounts on foods.</td>
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<td>• Buy foods on sale and store-brand foods, which often cost less.</td>
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<td></td>
<td>• Find out whether a local volunteer group offers free or low-cost meals.</td>
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<td></td>
<td>• Take part in group meal programs offered through local senior citizen programs.</td>
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<td></td>
<td>• Find out if you can get food stamps. Call the food stamp office listed in the state government section of the telephone book.</td>
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<td></td>
<td>• Buy nonperishable foods in bulk or in large quantities.</td>
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<td>• Look into the U.S. Supplemental Security Income (SSI) program.</td>
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What’s Happening at RIL?

TBI Fund—If you have an acquired Traumatic Brain Injury, please contact our office about funding you may be entitled to.

Independent Living Skills training for people with Physical Disabilities—Other disabilities coming soon!

JAWS computer classes for people who are blind or low vision—classes are full but call to get your name on a waiting list!

Ride the Ducks and Reading Terminal

Columbus Market Trips

Dinner and a Play: Fall 2008!