



Speaking out for people with intellectual & developmental disabilities



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VOR Weekly News Update

News and views for VOR Advocates

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"Thank you, VOR! The time in Washington was really valuable to me. I hope to be able to attend next year." ~ 2014 VOR Conference and Initiative Participant

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Coming up:

A tribute to Mary McTernan, outgoing VOR Board Member and long-time VOR leader, member and advocate for people with intellectual and developmental disabilities.

2014 State Reports, as shared during VOR's Annual State Report Forum in Washington, D.C.

VOR and YOU

1. Like, Follow and Watch for Daily News: VOR is on Facebook, Twitter and YouTube

More and more people are connected to VOR through social media (Facebook, Twitter, and YouTube) helping them stay connected with VOR, the only national nonprofit advocacy organization championing choice. Connect with us today.

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[Facebook](#)

[YouTube](#) (New! VOR Board Members Speak Out)

State News

2. Virginia: Meeting held for group exploring options for keeping training centers open

The News & Advance (Lynchburg, VA) * July 2, 2014

State Sen. Steve Newman, R-Lynchburg, said he hopes to introduce legislation next year that will keep more of the state-run training centers open.

All but one of Virginia's regional training centers for people with intellectual disabilities are slated to close by 2020, including the Central Virginia Training Center in Madison Heights.

The push is part of a larger initiative to allow more people to live in smaller, community-based homes rather than state institutions.

The state is obligated under the terms of a 2012 settlement agreement with the U.S. Department of Justice to increase the availability of community-based placement.

The workgroups findings will help shape a proposal the senator hopes to introduce during the 2015 General Assembly session. Newman said he'd like to see a few centers across the state remain open so those with profound disabilities can continue to get the hospital-level medical care they need.

"I am not willing to allow the federal government and the state of Virginia to come to a settlement that, in the end, could put lives at risk because we didn't have more sophisticated beds available," Newman said Wednesday.

Those who can thrive in group homes or other community settings should be allowed to, Newman said, but some "simply can't make it"

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without more intensive services.

On Tuesday, it announced it was pushing back the closing date for the Northern Virginia Training Center — the next location on the list to close — to March 2016.

[Read more, comment and share](#)

3. Illinois: Metro-east lawmaker raps study on closure of developmental center

News-Democrat * July 5, 2014

The state, which wants to close its Warren G. Murray Developmental Center in Centralia, is paying a university \$400,000 to study how former residents of the now-closed Jacksonville Developmental Center like their new homes.

But a state lawmaker says the study is worthless because its lead author has a bias against state institutions for the developmentally disabled.

[Read more, comment and share](#)

Great Letters to the Editor in response:

[What is Illinois hiding about Jacksonville's Closure](#) (July 10, 2014 by Rita Winkeler, President, Murray Parents' Association)

[Illinois' credibility slips away](#) (July 10, 2014 by Karen Kelly (parent))

4. Texas State Lawmaker Slams Recommendation to Close Living Centers

The Texas Tribune * July 1, 2014

The chairwoman of the House Committee on Public Health is calling a state agency staff report recommending the closure of six institutions for Texans with disabilities "inaccurate" and "slanted."

"Putting aside the callous risk to these individuals, and their families, the 'cost savings' in your report are speculative," wrote State Rep. Lois Kolkhorst (R-Brenham).

[Read more, comment and share](#)

[Read Rep. Kolkhorst's letter](#)

5. Texas: Sunset Commission staff recommendation raises questions

Abilene Reporter-News * July 5, 2014

ABILENE, Texas - Patients, employees and state representatives look for answers amid the Texas Sunset Commission's evaluation of the Abilene State Supported Living Center.

The center is one of 13 being evaluated for closure. In addition to shutting down a center in Austin, the commission may choose five others to close. The commission is responsible for determining whether an agency receiving taxpayers' money is necessary, and if it is, how to save money

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State Rep. Susan King (R-Abilene) disagreed with the commission's recommendation for moving to different programs. She said the Department of Aging and Disability Services, which is investigating the situation, evaluated the cost of keeping the center open as a block average for each person. She argued that the community-based programs the department wanted to move to could be equally as expensive if all people's needs were accounted for.

"Because of all the variabilities of all these individuals in the centers, you can't look at a straight numerical percentage and make a judgment," she said. "It's very complex, we can't just look at the economic impact and the jobs and the value of the land."

In fact, she found discrepancies within the commission's report.

[Read more, comment and share](#)

6. South Carolina Audit: Adult caregivers often hired without backgrounds checks

*The Post and Courier (Columbia, SC) * June 30, 2014*

About 25 percent of direct caregivers hired by the Department of Disabilities and Special Needs are hired without knowledge of their criminal history [in spite of a state law mandated such checks [http://assets.aarp.org/rgcenter/ppi/lc/2009-12.pdf], according to an audit released Monday. The Legislative Audit Council released the results in an audit conducted at the request of the General Assembly. The audit focused on abuse, neglect and exploitation of consumers, procurement and eligibility.

Caregivers are hired by state and private-run facilities, and it's not just DDSN employees that are not being screened, council director Perry Simpson said.

Advocates for the disabled heralded the audit as proof something should change.

The audit revealed DDSN has inadequate controls because background checks are limited or non-existent. It also found that staff determined a reported inappropriate sexual act was consensual, without forwarding the case to law enforcement.

At least 20 other states have some form of abuse registry, and the audit suggested South Carolina create one as well. That recommendation has been made at least twice before, and Marcia Lindsay, the manager for the audit released Monday, said the issue with creating such a registry boils down to funding.

Registries in other states include the names of caregivers who have abused, neglected or exploited a vulnerable adult.

[Read more, comment and share](#)

[Read the audit: "S.C. Department of Disabilities and Special Needs' Process to Protect Consumers from Abuse, Neglect, and Exploitation, Administrative Issues, and a Follow Up to Our 2008 Audit," S.C. General Assembly, Legislative Audit Council \(June 2014\)](#)

7. Ohio P&A says Ohio is violating the Americans with Disabilities Act

***The Columbus Dispatch* * July 9, 2014**

A legal-advocacy group says Ohio is violating the Americans with Disabilities Act by operating a system that keeps too many people in institutions, unable to tap into the support they need to live and work in the community.

[Read more, comment and share](#)

8. Illinois / U.S. : Supreme Court deals setback to unions in Illinois case

***The Chicago Tribune* * June 30, 2014**

The U.S. Supreme Court on Monday dealt a setback to unions by ruling that in-home care workers in Illinois who are paid by the state are not similar enough to full-fledged government employees to be compelled to pay union dues.

The case gathered national attention because it questioned the ability of unions to collect dues from public sector workers. The court said in-home care workers are not full-fledged public employees, thus narrowing the decision to these particular workers.

The case is *Harris v. Quinn*.

[Read more, comment and share](#)

[Read statement by the American Federation of State, County and Municipal Employees \(AFSCME\)](#)

9. California: Drought threatens future of center for developmentally disabled

***Los Angeles Times* * July 7, 2014**

The [Los Angeles Residential Community \(LARC\) Ranch](#) was founded in 1959. It was never going to be a simple proposition to carve a campus for developmentally disabled adults out of the unforgiving hills, certainly not on an underwhelming budget. But the result was magic, said Julie's father, Edwin Hill.

The place just works, he said, with a tireless staff that finds creative ways to keep residents active and healthy — asking them to design the table centerpieces for fundraisers, or purposely mixing lower- and higher-functioning residents in the same villa, providing intellectual stimulation for all.

Then, it forgot to rain. Now, after all these years, LARC needs a real miracle.

[Read more, comment and share](#)

Mental Health in the News

10. Behind the yellow door, a man's mental illness worsens

***The Washington Post* * June 28, 2014**

Once, the man's family might have handled the situation by having him involuntarily committed to a psychiatric institution. For decades, it was a routine and simple procedure: If a doctor agreed that the patient had a mental illness, he could be institutionalized even against his will.

The problem was that it was a process with few safeguards, and during much of the 20th century, all kinds of people who didn't belong — from free-thinking women to gay people, minorities and rebellious children — wound up locked in hospitals where abuse was common and conditions were often bleak.

So the system changed, with one catalyst being a 1975 Supreme Court ruling that effectively restricted involuntary commitment to instances when a person becomes a "danger to self or others," a phrase that now appears in one form or another in state laws across the country.

But 40 years after that standard was established, some people are asking whether society's concern for the constitutional rights of people with mental illness has led to their abandonment. At a moment when about one-quarter of the homeless population suffers from severe mental illness, when the number of mentally ill prison inmates is higher than ever and when mass shootings are often followed by stories that the shooter had heard voices, the people asking questions include the family of the man in the house. Their concern is growing every day.

[Read more, comment and share](#)

Autism in the News

11. Sensory room in Chicago suburb aimed at helping developmentally disabled

The Chicago Tribune * July 9, 2014

After Jeffery Lubejko spent a half-hour in a darkened room with glowing neon bubble tubes, a pulsing chair, music touch pads and a giant vibrating stuffed ladybug, his father said he noticed a change in his autistic son.

"All of a sudden he's a different person — he's a little more open, he's a little more excited by things he's experiencing," said Paul Lubejko, of Woodridge, after 25-year-old Jeffery emerged from a new room at the Lisle Park District designed for people with developmental disabilities.

The equipment in the room, developed by Dutch therapists, is called Snoezelen. The name is a combination of Dutch words for "to seek out" and "to doze," said Carolyn Jackson, a Snoezelen consultant for Flaghouse.

[Read more, comment and share](#)

12. Major Medicaid Breakthrough Announced For Autism

Autism Speaks * July 8, 2014

WASHINGTON, DC (July 8, 2014) -- In a major victory for Medicaid coverage of autism, a federal agency has directed the states to cover medically necessary treatments for autism for children and young adults, including behavioral health treatments such as Applied Behavior Analysis (ABA). An estimated one-third of all children with autism

receive primary coverage through Medicaid.

The [announcement by the Centers for Medicare & Medicaid Services](#)(CMS) makes clear that autism treatment must be addressed under Early and Periodic Screening, Diagnostic and Treatment (EPSDT) services which cover Medicaid-eligible children up to the age of 21.

[Read more, comment and share](#)

Special Education News

13. Feds Concerned Over Increased Leeway For IEP Teams

Disability Scoop * July 9, 2014

A move to give individualized education program teams in one state more latitude over determining graduation requirements for students with disabilities is raising red flags.

Under a law signed by Louisiana Gov. Bobby Jindal late last month, IEP teams in the state will have the authority to exempt students with disabilities from passing standardized tests in order to receive a high school diploma or advance from one grade to the next. In such cases, IEP teams would determine "rigorous educational goals" for students to meet instead.

Supporters say the measure will offer more students in special education the opportunity to earn a high school diploma. Critics, however, including some national disability advocacy organizations, have spoken out against the approach saying it will do nothing more than lower expectations.

[Read more, comment and share](#)

14. School Ends IEP: Disability No Longer Affects Education?

National Autism Network * July 3, 2014 (citing [Wrightslaw](#))

This article answers the question of a mother of a child who has undergone a number of corrective surgeries to regain his physical ability and the school took him off his IEP plan saying that he no longer meets the requirements for a disability. The school is in the wrong to do this without the consent of all those involved on the IEP team since removing a child from the IEP is a change of placement. The article offers some advice stating that parents are not required to sign an IEP they do not agree with and steps to take when filing a state complaint if you receive no response from the school.

[Read "Disability No Longer Affects Education?"](#)

[See related article: Summer School 2014 - Parent Rights & Responsibilities in the IEP Process](#)

Quotable

"It always seems impossible until it's done." -- Nelson Mandela

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Calendar Reminders:

Sunday, October 5, 2014

American Health Care Association's 2014 ID/DD Residential Services Day during AHCA/NCAL's 65th Annual Convention & Expo at the Gaylord National Harbor just outside of Washington, DC. Registration information and the schedule can be found [here](#).

Archives

* **Thursday, March 20, 2014**

[VOR's "Regional Meetings: The Need for Advocates to Act Global and Local" Webinar.](#)

***Social Media Strengths: Using Facebook and Twitter to Advance Your Cause (VOR, July 2013).** [Visit VOR's website for a copy of the powerpoint presentation and an audio of the event.](#)

* **How Congress Works Webinar: Recorded - Listen Here.** [Tuesday, April 23, 2013 - 12:00 pm central / 1:00 pm eastern.](#) How Congress Works: The Basics. Hosted by Peter Kinzler and Larry Innis.

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