

**A** Communication  
from the Policy  
Information Exchange

# Slice of Pie

*A Slice of Pie* is an ongoing publication keeping our readers informed about important public policy issues.

It is the mission of the Policy Information Exchange to **educate and inform Pennsylvanians with disabilities, their families and advocates, and the general public, regarding public policy issues and to further the exchange of policy information between the Pennsylvania Developmental Disabilities Council and federal, state, and local policy makers.**

*The Policy Information Exchange is funded in part by the Pennsylvania Developmental Disabilities Council.*

## STATE NEWS

### State Budget

The final budget was signed on the night of June 30, shortly before the new fiscal year began on July 1. To view the bill (HB 1485, now Act 1A of 2011), go to [www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2011&sind=0&body=H&type=B&BN=1485](http://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2011&sind=0&body=H&type=B&BN=1485).

**HB 960, now Act 22 of 2011**, passed as part of the budget process. It amends the Public Welfare Code to give the Secretary of Public Welfare the power to change rules and regulations on benefits, eligibility, fees/co-pays, rates etc. without legislative

or public oversight. This expedited review process is intended to allow DPW to make changes in order to get down to the reduced funding level in the final budget deal.

Here, by Department, is a summary of how some programs of interest to the disability community fared in the budget which was passed:

### In This Issue

State News .....	page 1
National News .....	page 9
Resources .....	page 11
Events .....	page 13
Contact PIE .....	page 15

## **PUBLIC WELFARE**

### **Office of Developmental Programs (ODP):**

- Intellectual Disability—Intermediate Care Facilities: While there is a 30% increase in state funds, the loss of federal funds results in a net decrease of less than 1%.

- Base Funds Intellectual Disabilities: There is a net increase of 3.8%.

- Waivers Intellectual Disabilities: The Governor's budget would have cut \$27 million in funding for residential room and board expenses. The final budget restores \$22 million of that \$27 million. The final budget also added a cut of \$13 million for savings to be gained from waste, fraud and abuse. The final budget is a 1.3% increase over 2010-11. The appropriated funds are expected to be sufficient to meet the goals included in the Governor's budget to:

1. Continue current program, meet changing needs, and annualize services for people brought into service during 2010-11

2. Transfer 7 people from the MH system

3. Serve 35 people who are living in state hospitals with diagnoses of mental illness and intellectual disabilities; and

4. Bring 50 people out of state centers.

- There is no waiting list initiative.

- The final budget amounts to a 9% cut in total funds. The budget includes the following language, "For services to persons with autism spectrum disorders, including oversight, supportive services and provider training."

- Early Intervention (birth to age 3): The budget increases state funds over 2010-11, but including federal funds, this amounts to a 2% decrease from 2010-11.

### **Office of Mental Health and Substance Abuse Services (OMHSAS)**

- Mental Health Services funding is almost the same as 2010-11.

- Behavioral Health Services is reduced by 10% from 2010-11.

### **Office of Long Term Living (OLTL)**

- State funds for Services to Persons with Disabilities (CSPPD), which includes the Independence, OBRA and CommCare waivers, increased by \$20 million. However, the decrease in federal funds results in a net decrease of 8%.

- For Attendant Care (which includes both the Attendant Care Waiver and state-only Act 150), both state and federal funds have been decreased, amounting to a 16% reduction.

- The Long Term Care line item had included nursing homes, LIFE and the Aging Waiver. The final budget leaves nursing homes in the Long Term Care line item, but separates out the home and community based services. While the overall nursing home/long term care budget seems to be reduced, the General Assembly restored the Governor's proposed 2% rate cut at a cost of \$21.9 million. They did so by delaying a payment to nursing homes which saved approximately \$77 million.

- The Aging Waiver is included in a new line item called "Home and Community Based Services." Combining state, federal and tobacco funds, that line item is increased from 2010-11. The amount available is supposed to be enough to annualize people currently served.

- The LIFE program is in a new line item called "Long Term Care—Managed Care" and funded at the Governor's recommended level which is a 25%

increase.

- MA Transportation is reduced more than 17%.

### **Other DPW/AGING**

- The Human Services Development Fund (HSDF) received \$23.5 million in 2010-11. The Governor proposed eliminating it. The final budget restores \$15 million for HSDF.
- This budget does not attempt to create a new department. Instead, the Office of Long Term Living remains connected to both DPW and Aging with funding included in the DPW budget.

### **HEALTH**

- A number of Health programs, including New Born Hearing Screening are eliminated.
- Epilepsy Support Services is cut by \$4,000.
- The line item for Services for Children with Special Needs has been restored to the \$1.5 million available for 2010-11.

### **DCED**

- Funding for Accessible Housing is combined with funding for New Communities in a new line item called, "Keystone Communities." In 2009-10, the two line items combined would have equaled \$11,775,000 with \$1,100,000 for Accessible Housing. In 2010-11, the total of \$9,992,000 includes \$1,058,000 for Accessible Housing. The final budget includes \$12 million, but the split isn't indicated.

### **LABOR & INDUSTRY**

- OVR is level funded.
- Supported Employment is reduced to \$418,000, a 10% reduction.

- Centers for Independent Living (CILs) funding is reduced to \$2,013,000, an almost 3% reduction.

- Assistive Technology is reduced from \$900,000 to \$677,000, a nearly 25% reduction compared to 2010-11.

### **EDUCATION**

- Special education is level funded in state funds. But factoring in lost federal funds, it's a 10% decrease.
- Early Intervention (ages 3-5). There is a 1% increase. Funding to continue the program and new funding for additional children is included.
- Charter Schools for the Deaf and Blind and Approved Private Schools are level funded.
- A \$4.7 million line item of state funding for Intermediate Units is eliminated.

## **Bills of Interest**

Below we summarize some bills of interest to the disability community. For more information about these or any other state bills, go to: [www.legis.state.pa.us/cfdocs/legis/home/session.cfm](http://www.legis.state.pa.us/cfdocs/legis/home/session.cfm). At the top of the page is a box labeled, "Find Legislation By", choose "Bill #", then enter the bill number and click on "Go".

**SB 200.** Introduced by Senator Patrick Browne (R-Lehigh). It establishes **standards for managing concussions and traumatic brain injuries to student athletes**. The bill passed the Senate on June 22, 2011. It was sent to the House where it was voted out of the House Education Committee and given first consideration by the full House. It's been laid on table. See also **HB 200** introduced by Representative Tim Briggs (D-Montgomery.)

**SB 458.** Introduced by Senator Andrew Dinniman (D-Chester). The bill would amend the Mental Health and Mental Retardation Act to **change the term “mental retardation” to “intellectual disability.”** It was passed by the Senate on June 22, 2011 and sent to the House. It's currently in the House Human Services Committee.

**SB 862.** Introduced by Senator Jay Costa (D-Allegheny). The bill provides for **pooled trusts for people with disabilities.** It was introduced and sent to the Senate Judiciary Committee on March 28, 2011. [Note: This is a corrected bill number from the Spring 2011 Slice of PIE.]

**HB 704.** Introduced by Representative Bernie O'Neill (R-Bucks). The bill provides for the **special education funding formula.** It was voted out of the House Education Committee and sent to the Appropriations Committee. See also, **SB 1115.** Introduced by Senator Patrick Browne (R-Lehigh) which was referred to the Senate Education Committee on June 16, 2011. And **SB 1154.** Introduced by Senator Robert Tomlinson (R-Bucks), referred to the Senate Education Committee on June 17.

**HB 1564.** Introduced by Representative Thomas Murt (R-Montgomery). This bill would establish a **bill of rights** for people with intellectual and developmental disabilities. It cites *Olmstead* and calls for a plan to address the waiting list. It was introduced and referred to the House Human Services Committee on May 23, 2011.

**HB 1720.** Introduced by Representative

Tim Hennessey (R-Chester). The bill provides for a procedure for determining who has **authority in guardianship** proceedings by providing for uniform authority in adult guardianship and protective proceedings. It was introduced and referred to the House Aging and Older Adult Services Committee on June 24, 2011.

**HB 1755.** Introduced by Representative Chelsa Wagner (D-Allegheny). This bill would tighten the rules on **disability plates and placards.** Among other things, it would require photos on placards and require recertification every five years. HB 1755 was introduced and referred to the House Transportation Committee on June 29, 2011.

### **Legislative Schedule**

The State House is adjourned until Monday, September 26, 2011. The House is scheduled to be in session in Harrisburg on the following days:

September 26, 27, and 28  
October 3, 4, 5, 17, 18, 19, 24, 25, 26, 31  
November 1, 2, 14, 15, 16, 21, 22, 23  
December 5, 6, 7, 12, 13, 14

The State Senate is recessed until Monday, September 19, 2011. The Senate is scheduled to be in session in Harrisburg on the following days:

September 19, 20, 21, 26, 27, 28  
October 17, 18, 19, 24, 25, 26, 31  
November 1, 14, 15, 16  
December 5, 6, 7, 12, 13, 14

### **Shared Living RFI**

The Department of Public Welfare has issued a Request for Information to get feedback about Shared Living Services in



Pennsylvania. Currently, the two shared living programs in PA are Family Living in the ODP and Domiciliary Care in the OLTL. For information contact Pamela Kuhno 610-562-6200. Submit responses to [sharedliving@state.pa.us](mailto:sharedliving@state.pa.us) by September 30, 2011. Read the RFI at this link: [www.emarketplace.state.pa.us/GeneralEdit.aspx?SID=RFI-DPW-ODP](http://www.emarketplace.state.pa.us/GeneralEdit.aspx?SID=RFI-DPW-ODP)

### **Benjamin Case**

In January, the Disability Rights Network entered into a settlement agreement in the class action lawsuit *Benjamin v. Department of Public Welfare*. DRN filed Benjamin on behalf of state center residents who are appropriate for and not opposed to community placement. The court held that DPW violated the integration requirement of the Americans with Disabilities Act by failing to offer appropriate community services to these residents. The court left it to the parties to negotiate a settlement which has now been reached. Under the settlement agreement, DPW will have a planning list for all residents of the state centers who are not opposed to living in the community. DPW will develop and implement an Integration Plan which provides for between 50 and 100 people on the planning list to move to the community each year between July 1, 2011 and June 30, 2016. After June 30, 2016, DPW will provide community services to 75 persons on the list each year until everyone on the list has moved to the community. The court must approve the Settlement Agreement and a hearing was scheduled for August 22, 2011. For more information, including copies of the settlement agreement, go to the DRN website at [www.drnpa.org](http://www.drnpa.org).

### **ODP Rates**

In mid-June, the Office of Developmental Programs (ODP) announced new rates for fiscal year 2011-12 for non-residential services in its community programs and changes to providers' interim rates for food and housing. The new rates adjust downward based on budget projections. After reviewing information about the impact of the changes, ODP rescinded the announcement and will use the rates in effect for the prior fiscal year until new rates are determined. New rates for Agency with Choice and Supports Coordination were also rescinded and the FY 10-11 rates will be used until further notice.

### **Monitoring Changes**

The Office of Developmental Programs (ODP) has launched a webpage on the DPW website for its new monitoring process that took effect on August 1, 2011. The new process is intended to meet CMS assurances of a consistent statewide approach to quality evaluation. The new process includes performance reviews, self-reporting, and on-site audits for Supports Coordination Organizations and service providers. To view the webpage go to [www.dpw.state.pa.us/provider/doingbusinesswithdpw/developmentalprograms/providerandscomonitoring/index.htm](http://www.dpw.state.pa.us/provider/doingbusinesswithdpw/developmentalprograms/providerandscomonitoring/index.htm).

### **OMHSAS**

On July 11, the PA Department of Public Welfare (DPW) Division of Medical Assistance Transportation (MATP) issued a memorandum that, effective August 1, 2011, all trips to psychiatric rehabilitation services will not be paid by MATP because the service is not in-the Medicaid State Plan. Affected counties and managed

care plans will enter into local agreements with transportation providers to continue transportation services, but will have to find funds other than Medicaid dollars.

## **OLTL**

The Office of Long Term Living (OLTL) has issued two new Bulletins which can be viewed at: <http://services.dpw.state.pa.us/olddpw/bulletinsearch.aspx>.

- Revised Pennsylvania Preadmission Screening Resident Review Evaluation (PA-PASRR-EV) Form was issued on July 6, 2011 and was effective June 1, 2011. The Bulletin revises the PA-PASRR-EV form dated September, 2007, and applies to all agencies that perform the PA-PASRR-EV (Level II) for individuals either prior to or after admission to a Medical Assistance enrolled nursing facility.
- Rescission of OLTL Bulletin 10-07 (05-11-03, 51-11-03, 52-11-03, 55-11-03, 59-11-03). The Bulletin withdraws a prior Bulletin relating to dual enrollment for services funded through OLTL home and community-based programs and services funded through the Office of Developmental Programs. This means that people should not be denied OLTL home and community-based waivers or other OLTL services on the basis that they are also receiving ODP base-funded services. For more information, contact the Office of Long-Term Living, Bureau of Individual Support at 717-787-8091.

## **ACT 150 Transition Policy**

The OLTL has requested that individuals in the Act 150 Attendant Care Program be evaluated to see if they are eligible for the waiver program. Moving from the state funded Act 150 program to the waiver program will save state dollars and

increase federal matching funds. Those who do meet the eligibility criteria and are over age 60 may choose to receive services in either the Aging waiver or the Attendant Care waiver. However, due to technical hurdles, individuals over age 60 choosing the Attendant Care waiver will remain in the Act 150 program until further notice.

## **OLTL Rates**

The Office of Long Term Living (OLTL) notified providers on July 1 that new rates for some services will not be implemented on July 1, 2011 as previously planned. The delay in implementation is to allow for continued discussion on the pieces of the rate setting process and development of training for the implementation of the new quarter hour unit for Service Coordination. The OLTL has also issued an agreement that providers can sign and adopt regarding the financing of the programs from January 1, 2011 until the new rates are in effect. The agreement is aimed at stabilizing the service system in the interim while new rates and methodologies are being developed for home and community-based services.

## **OBRA and COMMCARE**

The OBRA waiver renewal for July 1, 2011 was submitted to the Centers for Medicare and Medicaid (CMS) and an extension has been granted. The COMMCARE waiver was renewed on July 1, 2010 with a work plan for resolution of a service definition and rate issue. DPW has received informal questions from CMS on both the OBRA Waiver renewal and the COMMCARE Waiver and is in active discussions with CMS.

## **MA Kids Copay**

One provision of Act 22 of 2011 (see budget article on page 1) gives DPW the authority to charge copays, including copayments for services to some children under 18. DPW will be able to require providers to charge families a co-pay for services their children receive under Medical Assistance and to refuse services if the family doesn't pay the copay. The copays would not apply to children on SSI or families whose children receive cash assistance. The copays could apply to children whose family income is above 200% of the federal poverty level. The Pennsylvania Health Law Project and the Disability Rights Network of PA intend to work with family and advocacy organizations as well as providers to advocate with DPW for an open and inclusive comment process and for limits to and exemptions from copays that recognize the financial pressures faced by families with children with disabilities. For more information, contact David Gates at [dgates@phlp.org](mailto:dgates@phlp.org) or Ilene Shane at [IShane@drnpa.org](mailto:IShane@drnpa.org).

## **MA Dental Changes**

Pennsylvania is changing its Medical Assistance Dental benefits. The benefit changes apply only to adults (age 21 and older), not to children. The changes also do not apply to adults receiving their dental services in a nursing facility, ICF/MR and ICF/ORC setting or to anyone in any of the state's Medical Assistance Physical Health managed care plans. Changes include:

- Dental exams and prophylaxis (preventive treatment) are limited to 1 per 180 days, per recipient;
- Elimination of crowns, endodontic and periodontal services; and
- Coverage of dentures limited to one

upper arch or partial and one lower arch or partial, or one full set of dentures per lifetime.

The dentist can ask for an exception which can be granted if:

- The consumer has a serious illness or health condition and his or her life would be in danger, or health would get much worse, without the dental service; or
- The consumer would need more expensive services if the exception was not granted; or
- It would be against federal law for the Department to deny the exception to the consumer.

Notices are to be sent in August and changes are effective on September 30, 2011.

## **MA Drug Limits**

Beginning in January 2012, adults on Medical Assistance will have their coverage limited to six prescription drugs per month. Children under age 21, pregnant women and residents of nursing homes or intermediate care facilities will not be limited. The reduction is scheduled to go into effect January 1, 2012 for those in "fee-for-service."

For those in a managed care organization (MCO), the MCO controls if and when the reduction will go into effect. DPW is still finalizing the list of approximately thirty drug classes that will be exempt from the monthly cap. DPW has indicated that medications to treat hemophilia, diabetes, cancer, HIV/AIDS, and angina will be automatically exempt. DPW is also planning to allow doctors to request an exception to the benefit limit for a specific patient.

## **MA Transportation**

DPW has announced two cost-savings measures for the Medical Assistance Transportation Program (MATP) to take effect in the fall of 2012. Those who use shared ride or taxi service for MATP will be required to pay a \$2 co-pay for each one way trip. This co-pay applies to all MA consumers using MATP except children under age 18 and pregnant women. DPW will also reduce the mileage reimbursement rate across the state to 12 cents per mile (plus parking and toll costs), and no county will be permitted to pay a higher rate. This reduced mileage rate applies to all MA consumers including children. (See also above for MATP changes in OMHSAS.)

## **MA Redeterminations**

The Department of Public Welfare (DPW) has instructed County Assistance Offices to review the files of Medical Assistance recipients whose time for eligibility re-evaluation is overdue. Two groups of Medical Assistance beneficiaries may be affected—those who previously received a notice of renewal that requested information about their financial eligibility and those who are overdue for eligibility reviews, but who were not sent a notice by DPW. People who fail to meet the strict timelines will lose their Medical Assistance benefits, including Waiver services. For more information, go to the Disability Rights Network website at <http://drnpa.org/alerts/id/919>.

## **House Changes**

Six members of the PA State House of Representatives won primary elections for other offices. In Philadelphia, Democrat Kenyatta Johnson and Republican Denny O'Brien are running for City

Council, and Democrat Jewell Williams is running for sheriff. Democrat Josh Shapiro is trying to become Montgomery County commissioner. In Lehigh County, Republican Doug Reichley is running for a judicial seat. And in Allegheny County, Democrat Chelsa Wagner is running for county controller. All of the House members have another year in their terms; if they win the election for the other offices, special elections will be called to fill their seats.

## **Staff Changes**

### **Steve Suroviec, Executive Director of the Office of Vocational Rehabilitation**

For nearly eight years, Suroviec has served as Executive Director of The Arc of PA. Prior to that, he was the Human Services Director in Erie County and worked in the Policy Office of DPW and served as Policy Director and Deputy Secretary at the Department of Health. On a personal note, we will greatly miss working with him on the Policy Information Exchange (PIE), but look forward to the outstanding leadership which he will bring to OVR. We wish him all the best.

The following individuals have been appointed to key positions in the Department of Public Welfare:

### **Kevin Friel, Deputy Secretary for the Office of Developmental Programs**

Friel has more than 12 years of experience with DPW. Most recently he served as the Acting Deputy Secretary for the Office of Administration and the Office of Developmental Programs. In 2007, he was appointed to the Director of the Bureau of Financial Operations.



# NATIONAL NEWS

## **Vincent Gordon, Deputy Secretary for the Office of Medical Assistance Programs**

He was employed by AmeriHealth Mercy in network development and has more than 20 years of experience in managing the business relationships between Keystone Mercy Health Plan and the hospital physician network. Gordon replaces Izanne Leonard-Haak who has accepted a position in the private sector.

## **Karen Deklinski, Deputy Secretary for the Office of Administration (OA)**

Deklinski has served as the former Deputy Secretary for Administration in the Departments of Conservation and Natural Resources and Community Affairs.

## **Barbara Minzenberg, Deputy Secretary for the Office of Child Development and Early Learning (OCDEL)**

She has worked at the Allegheny Intermediate as Assistant Executive Director for Early Childhood, Family & Community Programs, Senior Program Director, and Program Director for Preschool Early Intervention. She also worked in various capacities with the Pittsburgh Public School District.

## **Kenneth Serafin, Chief Counsel for DPW**

He worked previously for the U.S. House of Representatives, including as staff to the Committee on Education and Workforce.

## **2012 Federal Budget**

Congress has begun the process of considering the budget to fund the federal government for the fiscal year that starts on October 1, 2011. The President proposed his budget on February 14, 2011 and an alternative plan on April 13, 2011. After the House passed a budget resolution known as the Ryan Plan, the Senate rejected it. The House has approved some spending bills but not the major appropriations bills that fund most human services, while the Senate has considered only the defense bill. Congress will have to incorporate aspects of the debt ceiling agreement when it returns in the fall to resume the 2012 Budget work. For a chart of the appropriations bills' status, go to <http://thomas.loc.gov/home/approp/app12.html>.

## **Debt Ceiling Agreement**

On the August 2nd deadline, Congress passed and President Obama signed a bill that raised the debt ceiling so that the US can continue to borrow money to pay the nation's bills. Many in Congress made reduction of the national debt a condition of their vote; the bill that passed does include substantial spending cuts but not to Medicaid, Medicare or Social Security. It also includes a "supercommittee," made up of both parties and both chambers, charged with making additional debt-reduction recommendations on November 23, 2011 for a Congressional vote. If they don't agree on enough savings by December 23, 2011 some automatic cuts

up to \$1.2 trillion take effect. This includes a 2% reduction to Medicare aimed at slowing its growth. For information by the Center for Budget and Policy on the impact of the agreement, go to [www.cbpp.org](http://www.cbpp.org).

### **CMS Letter**

In an August 5, 2011 letter to state Medicaid Directors, the Centers for Medicare and Medicaid Services (CMS) provides guidance on the “maintenance of effort” (MOE) provisions in the Affordable Care Act. For example, the letter explains, “While the MOE provisions of the Affordable Care Act require that States maintain eligibility standards, methodologies and procedures, the MOE provisions do not affect a State’s ability to manage waiver costs by modifying waiver benefits, rates or introducing new waiver service-specific medical necessity criteria or utilization controls which do not affect individuals’ eligibility for Medicaid. For example, a State may change the criteria for receipt of a particular service that would not impact an individual’s overall Medicaid eligibility, but would instead impact their ability to receive a specific service.” ADAPT, a self-advocacy group, has criticized the letter “For publicly supporting community-based services for people with disabilities while quietly advising states on options to curtail such programs.” To read the letter, go to [www.cms.gov/smdl/downloads/SMD11-009.pdf](http://www.cms.gov/smdl/downloads/SMD11-009.pdf).

### **Access**

The U.S. Access Board has proposed guidelines for public rights-of-way. The proposed guidelines would only be applicable to newly constructed areas or areas undergoing alterations. Read the proposed regulations at [www.access-](http://www.access-)

[board.gov/prowac/nprm.htm](http://board.gov/prowac/nprm.htm). Among the highlights is a requirement that all pedestrian signals that have visual signs for when it is safe to cross the street also must have audio and tactile warnings. Detectable Warning Surfaces would be required. Four percent of parking spaces would be required to be accessible, but this may vary depending on the number of total parking spaces in the area. Street Furniture such as drinking fountains, toilet facilities, and benches must also be made accessible under the updated requirements. Comments are due on the proposed regulations by November 23, 2011 online at [www.regulations.gov](http://www.regulations.gov) (ID is ATBCB-2011-0004), via email [row@accessboard.gov](mailto:row@accessboard.gov), or via fax 202-272-0081, or snail mail Office Of Technical and Informational Services, Access Board, 1331 F Street, NW, Washington, D.C. 20004.

### **Compassionate Allowances**

Social Security has an obligation to provide benefits quickly to applicants whose medical conditions are so serious that their conditions obviously meet disability standards. On July 14, 2011, the Social Security Administration announced that twelve Compassionate Allowance conditions involving severe heart diseases have been added to the list of conditions for the expedited disability process for applicants. The list now has 100 conditions or diseases that, by definition, meet Social Security’s standards for disability benefits. For information, including the complete list and a description of the process, go to [www.socialsecurity.gov/compassionateallowances](http://www.socialsecurity.gov/compassionateallowances).

# RESOURCES

## PA Ranked

Vermont offers the best Medicaid services for people with intellectual and developmental disabilities, while Mississippi provides the worst, according to United Cerebral Palsy's 2011 report "The Case for Inclusion" [http://medicaid.ucp.org/pdf/Case\\_For\\_Inclusion\\_Report\\_2011.pdf](http://medicaid.ucp.org/pdf/Case_For_Inclusion_Report_2011.pdf). PA ranks 15th, up from 29th in 2007. PA's improvement is attributed to a "large increase in the number of people served (from less than 30,000 to 50,000), a substantial shift in the number of people in community settings with seven residents or less (up from 85 percent to 94 percent), a drop in population in large settings to 1,359 from 1,865 in 2009 and the closure of one state institution and a 60 percent reduction in its waiting lists." Since the 2010 "The Case for Inclusion" report, a total of six state institutions around the country were closed, and more than 2,000 people were moved from these large facilities into community settings. Soon, Alabama will join Alaska, D.C., Hawaii, Maine, Michigan, New Hampshire, New Mexico, Rhode Island, Vermont and West Virginia in having no state institutions. To read the report, go to [http://medicaid.ucp.org/pdf/Case\\_For\\_Inclusion\\_Report\\_2011.pdf](http://medicaid.ucp.org/pdf/Case_For_Inclusion_Report_2011.pdf).

## ADA

In recognition of the 12th anniversary of the Supreme Court's *Olmstead* decision, the US Department of Justice (DOJ) issued a Statement on Enforcement of the Integration Mandate of the Americans with Disabilities Act and *Olmstead*. The DOJ said that in the years since the decision, the goal to provide individuals with

disabilities opportunities to live their lives like individuals without disabilities – has yet to be fully realized. For information contact the DOJ ADA Information Line, 800-514-0301 (voice), 800-514-0383 (TTY). The statement, which includes information on filing a complaint, is at [www.ada.gov/olmstead/q&a\\_olmstead.htm](http://www.ada.gov/olmstead/q&a_olmstead.htm).

## Housing Costs

The Technical Assistance Collaborative, Inc. (TAC), in conjunction with the Consortium for People with Disabilities, has released a report, *Priced Out 2010*. They found that in 2010, as a national average, a person receiving SSI needed to pay 112 percent of their monthly income to rent a modest one-bedroom unit, leaving no income for food, clothes or other necessities. Smaller studio/efficiency rental units cost 99 percent of SSI income. There are 218 markets across 42 states where rents for modestly priced units exceed 100 percent of monthly SSI. Further, there are 30 housing markets where rents were equal to, or in excess of 150 percent of SSI. In six states, rents across the entire state exceeded 100 percent of monthly SSI. In the dozen years since the first *Priced Out* study, the housing affordability gap for people with disabilities has almost doubled. The report is available at [www.aucd.org/docs/policy/PricedOut2010.pdf](http://www.aucd.org/docs/policy/PricedOut2010.pdf).

## Coalition Changes

The advocacy group formerly known as the MH/MR Coalition has become two separate coalitions, the Behavioral Health Coalition (BH Coalition) and the Intellectual Disability and Autism Coalition (IDA Coalition). The new names reflect updated terminology and common issues. Coalition members will bring the two coalitions

together periodically to share information and to pursue common interests and advocacy. For information about the IDA Coalition, contact the current Chair, Ilene Shane at the Disability Rights Network of Pennsylvania at 800-692-7443, or [IShane@drnpa.org](mailto:IShane@drnpa.org), and for information about the BH Coalition contact the current Chair, Sue Walther at the Mental Health Association in PA at 717-346-0549 or [swalther@mhapa.org](mailto:swalther@mhapa.org).

### **State Email**

Starting July 29, 2011, The Commonwealth changed its email addresses for state workers to (name)@pa.gov from the previous (name)@state.pa.us. The old addresses will still work so that communication is not interrupted.

### **Ed Advocacy**

The website, iAdvocate, was developed at the Syracuse University School of Education to help parents of students with disabilities work collaboratively with a school team to improve their children's education and to provide inclusive and meaningful educational environments for students with disabilities. To view the site, go to <http://iadvocate.syr.edu>.

### **State Jobs**

On their web site, the State Civil Service Commission has a PowerPoint presentation that explains the Civil Service employment process in general and services available to applicants with disabilities in particular. To access this presentation, go to [www.portal.state.pa.us/portal/server.pt/community/general\\_information/14274/applicants\\_with\\_disabilities/590786](http://www.portal.state.pa.us/portal/server.pt/community/general_information/14274/applicants_with_disabilities/590786).

### **Self Employment**

The Self-Employment & Small Business Ownership section on Disability.gov has information about programs and services that can help with writing a business plan and small business loans.

### **White House**

To receive updates on disability issues from the White House, email [disability@who.eop.gov](mailto:disability@who.eop.gov).

### **IM4Q Reports**

The Office of Developmental Programs (ODP) has added three new reports to the ODP Consulting System website. IM4Q is one of the quality measures for programs that serve people with intellectual disabilities. Individuals and/or their family, friends or guardians are interviewed about their satisfaction with parts of their lives. The new reports are the 2009-10 IM4Q State Center report, the IM4Q Statewide Summary 2010 Icon report that includes pictures to show the results, and the IM4Q Statewide Summary 2010 Chart. To view the reports, go to: [www.odpconsulting.net/index.php?option=com\\_docman&task=cat\\_view&qid=291&Itemid=73](http://www.odpconsulting.net/index.php?option=com_docman&task=cat_view&qid=291&Itemid=73).

### **Family Caregiving**

The AARP Public Policy Institute has published a report, "Valuing the Invaluable: 2011 Update - The Growing Contributions and Costs of Family Caregiving." The report uses current data to update national and individual state estimates of the economic value of family caregiving. In 2009, about 42.1 million family caregivers in the U.S. provided care to an adult with limitations in daily activities at any given point in time, and about 61.6 million provided care at some time during the year. The



estimated economic value of their unpaid contributions was approximately \$450 billion in 2009, up from an estimated \$375 billion in 2007. The report also details the costs and consequences of providing family care and provides policy recommendations to better support caregiving families.

### **Service Animals**

The U.S. Department of Justice (DOJ) posted a technical assistance document on its website about service animals and the requirements of the Americans with Disabilities Act (ADA). DOJ revised its ADA regulations in September 2010 and clarified that under the ADA, dogs trained to work for an individual with a disability meet the requirements for service animal. The guidelines include a discussion of the limited circumstances under which miniature horses may be considered service animals. To read the document, go to [www.ada.gov/service\\_animals\\_2010.htm](http://www.ada.gov/service_animals_2010.htm).

### **Emergency Prep**

The Pennsylvania Emergency Management Agency has a website on emergency preparedness. There's a link addressing emergency preparedness for people with disabilities. Go to [www.readypa.org](http://www.readypa.org) and click on People with Disabilities under "Preparedness for those with special needs."

### **Women's Views**

In 2011, the Center for Women Policy Studies started an online series of papers on women and girls with disabilities. The 2011 Barbara Faye Waxman Fiduccia Papers present the perspectives of women with disabilities on topics such as access to health care, reproductive rights and health, violence against women and

girls, women and AIDS, employment and economic development and participation in government at every level. For more information, go to [www.centerwomenpolicy.org/programs/waxmanfiduccia/2011OnlineSeriesBarbaraWaxmanFiduccia.asp](http://www.centerwomenpolicy.org/programs/waxmanfiduccia/2011OnlineSeriesBarbaraWaxmanFiduccia.asp).

# EVENTS

## **Advocacy Training**

The Disability Advocacy Support Hub (DASH), a project of the Disability Right Network of PA funded by the PA Developmental Disabilities Council, has announced its fall trainings. The morning topic is **Advocacy with the Media** and the afternoon topic is **Advocacy with School Districts**. The free training sessions are scheduled as follows:

Pittsburgh – September 12 @ Three Rivers Center for Independent Living

Erie – September 13 @ Community Resources for Independence

Lancaster – September 26 @ Disability Empowerment Center

Philadelphia – October 3 @ Vision for Equality

Reading – October 6 @ Abilities in Motion

Forty Fort – October 13 @ Luzerne County Annex Building (next to airport)

Seating is limited and reservations are required. Please make requests for accommodations or alternative formats by August 30, 2011. To register, or for more information, contact DASH toll free at 800-692-7443, x312 or 877-375-7139 TTY, or email Lan Do at [ldo@drnpa.org](mailto:ldo@drnpa.org).

## **C2P2EI**

This year's session of Competence and Confidence: Partners in Policymaking for Families of Children in Early Intervention

(C2P2EI) will start in October 2011 and end in April 2012. It will be held in the Pittsburgh area. C2P2EI provides family member participants with up-to-date information, leadership development training, resources and skills about the local, state and national issues that affect children with disabilities. Interested family members throughout Pennsylvania who have an infant, toddler or pre-school age child who has special needs are eligible to apply. Family members must commit to attend all four 2-day training sessions, which will consist of four sessions. Applications can be requested by writing to the Institute on Disabilities, Temple University, 1755 N. 13th Street, Student Center, Room 411S, Philadelphia, PA 19122, by visiting the website at [www.disabilities.temple.edu](http://www.disabilities.temple.edu) or by telephone or e-mail to Diane Perry, Family Inclusion Coordinator at 215-204-3031, 215-204-1356 (TTY) or [dperry@temple.edu](mailto:dperry@temple.edu).

### **PARF Conference**

The PA Association of Rehabilitation Facilities will hold its annual conference, 'Innovation and Integration: What's New and What's Next in Rehabilitation,' on September 20-23 at the Nittany Lion Inn in State College, PA. For information, contact PARF at 717-657-7608, or go to [www.parf.org](http://www.parf.org).

### **PCPA Conference**

The PA Community Providers Association will hold their annual conference, "Hats Off," on October 11-14 at Seven Springs Mountain Resort in Champion, PA. For information, contact PCPA at 717-364-3280, or go to [www.paproviders.org](http://www.paproviders.org).

### **Building Bridges**

The Building Bridges Conference will be

held on September 20-21 at the Holiday Inn Harrisburg/Hershey, Grantville, PA. This conference is designed for people who are part of the Aging Network and the Intellectual Disabilities System and is co-sponsored by the Department of Aging and the Department of Public Welfare. For information contact the Long Term Living Training Institute at 717-541-4214 or go to [www.ltlltrainingpa.org/events/index.cfm?ekeyid=821](http://www.ltlltrainingpa.org/events/index.cfm?ekeyid=821).

### **Arc Convention**

The Arc's National Convention will be held from Sept 17-19 in Denver Colorado. The theme is "Achieving New Heights." For more information, go to [www.thearc.org/page.aspx?pid=2865](http://www.thearc.org/page.aspx?pid=2865).

### **Jobs Summit**

The Alliance For Full Participation Summit 2.0 "Real Jobs – Its Everyone's Business" will be held Nov 17-19 at the Gaylord National Harbor outside of Washington DC. For more information or to register, go to [www.allianceforfullparticipation.org/summit-2011](http://www.allianceforfullparticipation.org/summit-2011).

### **Diversity Conference**

A statewide, cross-disability conference looking at the challenges faced by immigrants and culturally diverse individuals with disabilities in Pennsylvania will be held on Wednesday, October 5, 2011. The conference, "Empowering the 'Forgotten Ones' Through Systems Change," will be held at Temple University Center (South) 1755 N. 13th Street (Between Cecil B. Moore Avenue and W. Montgomery) Philadelphia, PA 19122. For more information, contact the conference coordinator, Diversity Dynamics, LLC, at 201-653-0047.

# Contact PIE

Contact the PIE Team with any questions, comments, suggestions, or information to share at PIE, c/o The Arc of Pennsylvania, 101 South Second Street, Suite 8, Harrisburg, PA 17101, by email at [pie@thearcpa.org](mailto:pie@thearcpa.org) or by phone at 800-692-7258.

- \* *A Slice of Pie* is available by email and contains hyperlinks for ease of accessing websites and internet documents and resources.
- \* PIE Alerts, PIE Information, and PIE Job Postings are available by email to keep people informed about disability issues between newsletters.
- \* Sign up for *A Slice of Pie* or PIE electronic messages by phone at 800-692-7258 or by emailing [pie@thearcpa.org](mailto:pie@thearcpa.org).
- \* Individuals who already get *A Slice of Pie* and/or PIE electronic messages can make changes at any time by clicking "Update Profile/Email Address" at the end of any PIE email message.
- \* *A Slice of Pie* is available at the Developmental Disabilities Council website [www.paddc.org](http://www.paddc.org), by clicking on "Publications" and "Slice of Pie". Archived editions can also be found there.
- \* *A Slice of Pie* is available in alternate format upon request.
- \* The PIE office will download, copy, and mail information mentioned in *A Slice of Pie* upon request.

## The PIE Team

### CONSULTANTS:

Theotis Braddy

Joan W. Martin

Vini Portzline

Terry Roth

### THE ARC OF PENNSYLVANIA PIE STAFF:

Gwen Adams

Todd Dickinson

Stephen H. Suroviec

Maureen Westcott

# *A Slice of Pie*

Policy Information Exchange  
c/o The Arc of Pennsylvania  
Suite 8 - Executive House  
101 South Second Street  
Harrisburg, Pennsylvania 17101

NON-PROFIT ORG.  
U.S. POSTAGE  
PAID  
HARRISBURG, PA  
PERMIT NO. 649

## Change of Information?

We want to be certain that you do not miss an issue of *A Slice of Pie*, so please send name or address changes either by phone 800-692-7258 or by email to [pie@thearcpa.org](mailto:pie@thearcpa.org).  
Thank you.