



Consumer Directed Personal Assistance Program Rina Riba Independent Living Specialist

People with disabilities receiving Medicaid coverage for their home care, who require personal assistance with activities such as bathing, dressing, taking medications, and preparing meals, have traditionally received this assistance through licensed or certified health care agencies. In this model, services are planned and supervised by registered nurses, and hands-on care is provided by home health aides, or personal care attendants. The hours of care and the types of services permitted are determined by these agencies, in accordance with state regulations. For the most part, available times for service are during the day, and tasks that aides or attendants are permitted to do are limited by state law. For example, these workers may not actually administer medications, but can only remind a consumer when they are to be taken. They are also not permitted to do tasks requiring skilled training, such as help with respiratory, wound, or ostomy care. There may not be much, if any, choice for the consumer about which particular individual is to provide the care.

There is an alternative way to receive services, available in counties that provide it, which places more choice and control in the hands of consumers. This is the Consumer Directed Personal Assistance Program or CDPAP. This program differs from traditional service provision in a number of ways.

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New York State HAVA Update Helen Benlisa Project HAVA Coordinator

Where Are We Now?

Ask your average citizen on the street to tell you what they know about HAVA and the responses given can be quite varied. “There’s a “V” in it, so does it have something to do with veterans?” or “Did you say Hoffa?” and my all time favorite, “Isn’t that about voting machines?” This last question is always tentatively posed with a mixture of fear, loathing and puzzlement. When it comes to overall HAVA implementation John Q. Public is still mostly in the dark. HAVA is about a lot more than just voting machines, but it is evident most of the attention gets focused there.

In recent months, we have had a glimpse into the still murky future of HAVA implementation in New York State. The statewide database seems to be coming along, but voting machine testing studies have created additional questions to the ones they answered and the projected dates for machine certification are, at best, flexible.

For all intents and purposes, the certification process has ground to a halt. Many of the machine vendors used Microsoft programs, or the more technical term, source code as the foundation for their voting machine software. There is a state requirement that asks the software used in the voting machines be made available for analysis. Microsoft is not willing to divulge any of its source code and some of the machine vendors have said it would take another two years of development for them to recreate the programming for their voting machines.

On the one hand, taking longer ought to enable all involved to work out the kinks. On the other hand, taking longer is no guarantee said kinks will be worked out to the best end and even more kinks may arise. But the long story short is: we won’t see new and fully accessible voting machines in all of our polling sites this year, and perhaps not until 2009.

So where we are is back to square one. Well, maybe square two. And it certainly looks like Plan B will remain in effect this year.

For County BOE contact info go to page 5.

First of all, it is based on the premise that the consumer, a legal guardian, or a designated representative (called a surrogate or self-directing other), can hire and manage a specific person he or she wants to be the personal assistant (PA), and can also terminate the PA if not satisfied with the delivery of services. The consumer can determine which tasks he or she wants done, rather than having to accept what is prescribed by the agency. If any of the tasks desired require specific training, the consumer, the legal guardian or designated representative can arrange for the training to be done. The consumer can adjust the allotted hours of service to times that are more convenient for him or her.

Consumers receive instruction from the program on developing a job description, recruiting, interviewing, checking references, hiring, scheduling, training, supervising, problem solving, and dismissing PA's, as well as on maintaining records, including completing time sheets for them. They also meet periodically with RN's for routine assessment of their situation.

CDPAP staff members provide assistance with processing payroll for employees, advocating for consumers as needed, and providing office space if necessary for interviewing potential PA's. They maintain personnel records for the PA's and see to it that their rights to equal employment opportunity are maintained. Local Departments of Social Services work with CDPAP to determine the number of hours of PA service a consumer may receive, but consumers can decide the time of day they want it. Candidates for the position of PA must be at least 18 years old and cannot be the designated self-directing other described above, a legal guardian, or a spouse, parent, daughter, son, daughter-in-law, or son-in-law of the consumer.

Anyone interested in this program or in more information about it can call the Center at (607) 432-8000.

The following is a brief listing of some of the informational materials available at the Center.

All material is available in alternative format upon request.

Transitional Services Directory
(For Delaware, Otsego, Schoharie Counties)

How-to Start a Support Group Guide

A Guide to Disability Rights Laws from the U.S. Department of Justice

All materials are free of charge.

Don't forget to check us out on-line at:

<http://www.ccfi.us>

Traveling with Service Animals

Charles Reichardt Systems Advocate

As warmer weather approaches, many of you will be hitting the highways in search of fun or just rest and relaxation. With luck, you will not encounter any access issues with your service animal. Here is some helpful information on what the American's With Disabilities Act (ADA) says and does not say about lodging and your service animal.

The ADA and New York State laws require places of public accommodation, including hotels, inns, motels, and other places of transient lodging, to allow people who have a disability to bring their service animal into all areas where guests are allowed. This includes all public and common areas such as dining facilities, swimming pools, shuttle services, and fitness centers. The ADA does not however, cover owner-occupied establishments renting five or fewer rooms.

Several states make it a criminal offense to deny access to a service animal team. Violation of the ADA is a civil offense, meaning it is consumer-driven. Unless a person files a complaint, nothing can or will be done to remedy the situation.

Lodging establishment personnel may ask if an animal is a service animal or ask what tasks the animal has been trained to perform, but cannot require special ID cards for the animal or ask about the guest's disability.

A person with a service animal may stay in any room in the establishment reserved for guests. It is against the law to require someone with a service animal to stay in a "pets only room" or smoking room if they do not wish to do so. A guest with a service animal should expect the same level of courtesy and favorable treatment as other guests. Allergies, fear of animals and religious beliefs are not valid reasons for poor or refusal of service.

Places of lodging may not charge guests who use service animals extra fees or pet deposits, or require a pet policy agreement. However, if a service animal causes damage to the room or other areas of the establishment, management may ask the disabled guest to pay for damages if it is the policy to ask for the same type of compensation from non-disabled guests. The ADA does give lodging establishments the right to exclude a service animal if it is out of control and its owner/handler does not take effective action to control it.

Remember, if you run into an access issue on your travels, stand your ground. The law is on your side. Most importantly, be polite and diplomatic in explaining your rights under the ADA. If you have additional questions concerning the ADA and service animals, please call the Department of Justice's toll-free information line at (800) 514-0301.

Transition – What is it?

Krista Gocal

Inclusive Education Specialist

Transition is a term that is often used to describe moving from one thing to another. In the case of a student who has a disability and is in high school, the term ‘transition’ has the same meaning: they are leaving high school and entering *something*. This *something* could be employment, a vocational experience or college.

Does your child know what they want to do when they ‘grow up?’ In New York State, at the age of 12, transition planning begins with what is known as an *Interest Survey*: finding out what the student likes/dislikes and talking to them about what they see themselves doing in the future. What do you want to be when you grow up, where do you want to work, where do you want to live, do you want to drive, etc, are just a few of the questions you should start asking your child before they leave high school so they have a transition plan.

At the federal level, Special Education Regulations state that, by the time your student turns 14, transition planning must be a part of the student’s Individualized Education Plan (IEP). Transition planning starting at age 14 should include your student’s active participation in the Committee on Special Education meeting or anything having to do with the plan for *their* future. This is where the interest survey from when they were 12 years old can come in handy. For more information about transition, visit the website:

www.vesid.nysed.gov/specialed/transition/tranmain.htm.

As parents, you are also your child’s best advocate. You know what your child’s potential is and you, as well as your child, know what he or she has achieved all these years in school. Your child’s IEP or 504 Plan can help him/her accomplish many transition goals, including graduating from high school.

Students planning on attending college or entering the workforce need to know about the New York State agency Vocational and Educational Services for Individuals with Disabilities (VESID). Students who are currently in high school should be meeting with a VESID counselor *before* they graduate. The students should fill out the VESID application at the end of their junior year and should meet with the VESID counselor at the start of their senior year. If this does not occur, and your student is interested in speaking to a VESID counselor, you can contact VESID at 1-800-222-JOBS (5627) to receive an application and schedule an appointment.

If you would like more information about transition, please contact the Catskill Center for Independence at 607-432-8000, or email us at ccfi@ccfi.us.

New Face at the Center

I would like to take this opportunity to introduce myself to those of you whom I have not already spoken with. My name is Jim Mullaney. My wife and I have lived in Oneonta for the past thirteen years. Many people in the area know me from my previous career as a restaurant manager. After more than two decades in the restaurant business I decided to change careers. Human Services seemed like a logical choice for a new career since I have been helping my wife cope with the day-to-day difficulty of having a disability.

Some of you may know me from my previous employment. Most recently I worked for Springbrook as a service coordinator. Prior to joining Springbrook I worked for the ARC Otsego for a few years as a Clinic Treatment Coordinator. I have been at the Center since January 16, 2007. I am excited to be working at the Center and look forward to assisting people with their needs.

Survey on Voting for People with Disabilities

The Voting Rights Working Group which is part of the ADA/Civil Rights Subcommittee of National Council on Independent Living (NCIL) wants to know what voting is like for you in your area of the country. Here are some factors to include:

- 1.) Do you vote by mail, early voting, or at you polling place on Election Day?
- 2.) Are you able to get in the polling place?
- 3.) Have you ever been allowed a private, unassisted ballot? If so, what type?
- 4.) What is your disability?

Please include anything else you feel is important. Please send your response to: Kathy Hoell khoell@cox.net and Deb Cotter at Deb@ncil.org. Thank you in advance for your assistance.

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You can also take the survey on our website at:
www.ccfi.us.

A new face on an old friend. The Association for Vision Rehabilitation and Employment, Inc. has new services they wanted to tell our readers about. The following was prepared by Association staff for publication.

The Association for Vision Rehabilitation and Employment, Inc. (A.V.R.E.) serves a 9,000 square mile area, including Otsego, Delaware, and Chenango Counties. A.V.R.E. has been providing itinerant Vision Rehabilitation and Orientation and Mobility services to our community since the 1930s and it is estimated that there are at least 30,000 people in their service area who have a severe vision disability. Each of them deserves the best our community can offer in skills training to assure independence and a high quality of life. A.V.R.E.'s new *Center of Excellence* in Binghamton will enhance their ongoing itinerant vision rehabilitation services by offering more visually impaired consumers the opportunity to learn in a modern, safe, and efficient environment.

New services will include an on-site Low Vision Clinic. The process will begin with a low vision exam by a specially trained Optometrist or Ophthalmologist who may prescribe devices and/or vision rehabilitation services, both of which will be offered in-house at the Center. A low vision clinic is perhaps the single most important service an agency like A.V.R.E. can offer.

The *Center* will also house an Access Tech Center where consumers will learn about and try out the latest in information access technology so crucial to successfully managing school, work, and day to day life. Initially, Access Tech will focus on helping consumers stay in or reenter the work force, but in the very near future, Access Tech's resources will be made available to children and seniors.

A bit further down the road, the Center will offer independent skills training in its Adaptive Living Center – a fully accessible "training apartment." The apartment will include a functioning kitchen, bathroom, bedroom, and laundry room. Seniors with a severe vision disability (as well as consumers in other age groups) will learn the coping skills necessary to continue to cook, clean, sort and coordinate clothes, plan and organize meals, monitor medications, and more. The need for this intensity of service is self-evident – seniors identify vision loss as one of their top three health issues.

Finally, A.V.R.E. will create a special area designed to let visually impaired children to safely explore, touch, smell, hear, see, and taste. Research suggests that children with no or reduced sight can develop the remaining senses beyond what is developed by sighted people. While the kids are learning, there will be opportunities for parents to share and learn together with their children and other families with kids with a vision disability.

A.V.R.E. invites our community to learn more about their services. If you or someone you know is living with vision loss, contact A.V.R.E. at 607-724-2428 for more information on how vision rehabilitation services can help you to maintain or secure your independence and quality of life.

**Accommodation Idea of the Month: Simplest is Best!
A Grabber!**

Laurene M. Reichardt
Disability Programs Manager

For people who have disabilities limiting their ability to bend at the waist or to pick up items dropped on the floor, there is an easy and inexpensive way to accommodate them at their job – a Grabber!

This is a handy tool that comes in a variety of designs, but all have basically the same function. The tool is designed to "grab" an object, even one as narrow as a pencil or as small as a coin, by squeezing a handle that closes a set of 'pincers' at the end of the tool. Length of reach can vary from a couple of feet to longer.

Some tools are heavy duty and pick up larger, heavier items, while other are designed as an all-around-picker-upper. These tools can also be used to grasp lighter items from shelves that are too high for the person to easily access. Just remember to pick the right grabber for the job.

Grabbers can be found through simple searches in the Internet – or contact me at 432-8000, for more resources.

Our Newsletter on Tape/E-Mail

Would you like to receive our newsletter on tape or via email? There is no charge for either service, though it is helpful if those who are receiving the tapes return them if they are just planning to throw them away.

Please contact the Center at 607-432-8000, or you can e-mail us at ccfi@ccfi.us if you would be interested in this service.

Computer Classes

If you are interested in learning a little something about using computers or surfing the "Net", please call Ed at the Center to sign-up. Spaces and times are limited, so don't hesitate to call us at 607-432-8000, or email us at ccfi@ccfi.us

Online Support Groups

Below are only a few of the support groups that we are hosting. To view the entire listing, visit us online at www.ccfi.us.

[Parents of Students with Disabilities](#) / [Assistive Technology](#) / [Housing](#) / [Election Reform](#) / [Health Care Reform](#) / [Transportation](#)

If you are interested, please contact *Ed Lynch* at the Center, 607-432-8000, or you can email him at ccfi@ccfi.us for more information!

Lending Closets

The *Catskill Center for Independence* is one of several area agencies to maintain a "lending closet." Among the items to lend are wheelchairs, walkers, canes, crutches, etc. A small list of other participating agencies with a point of contact follows:

Delaware County Public Health Nursing - Marcia Bagley,
607-746-8282

Delaware Regional Center
607-865-6551

Hamilton's Farm – Penny Hamilton
607-746-2057

Please call your county Board of Elections office to find which accessible machine is being used by your county, where in your county it will be located on Election Day, and other pertinent information. Their numbers are listed below.

The Otsego County Board of Elections

607-547-4247 or 607-547-4325
140 Co Hwy 33W
Cooperstown

The Delaware County Board of Elections

607-746-2315
3 Gallant Avenue
Delhi

The Schoharie County Board of Elections

518-295-8326
County Office Building, Room 300
284 Main Street
Schoharie

The Chenango County Board of Elections

607-337-1760
The Chenango County Office Building, Lower Level
5 Court St.
Norwich

Barrier Free Voting Poster Available

The Northeast ADA&IT Center is providing, free of charge, voting posters to people in their region (NY, NJ, PR and the USVI). If you are outside of this region, please visit www.adata.org to contact your closest ADA Center to check on their availability of this poster.

For more information or to make a request by phone, please feel free to contact Northeast ADA & IT Center at 800-949-4232 (NY, NJ, PR, and USVI). These posters are available on a first come, first serve basis.

Calendar of Events

Video Day

On the last Wednesday of each month, at 2:00 pm, we will be showing a video for anyone who is interested. All videos will deal with some aspect of a disability-related issue and discussions will follow each video.

Space is limited. Please contact us to reserve your space by the close of business the Monday prior to each video showing.

July 25, 2007

Videos for Business: Two videos to assist businesses & employers with understanding the facts about hiring people with disabilities. [No Barriers for Business](#): This video explores how businesses can become "disability -friendly," and [Ten Small Business Excuses](#): Information on the Americans with Disabilities Act and how small businesses need to comply.

August 29, 2006

[A Video Guide to \(Dis\)Ability Awareness](#): We learn by living and working together. This video provides a fresh point of view – looking at disabilities from many new perspectives – through the lives of people who have disabilities themselves. Recommended for raising everyone's awareness of disability issues.