

The Legislative Lookout

Issue 5 February 2010

Published and distributed by the Catskill Center for Independence, “The Legislative Lookout” is a newsletter devoted to improving the quality of life for individuals with disabilities by taking action to achieve a barrier-free, fully inclusive society.

The vehicle used to accomplish this goal is the Statewide Systems Advocacy Network (SSAN). This newsletter is designed to keep you informed about the goals, actions and accomplishments of the SSAN. It also provides ideas and avenues for interested citizens like you to get involved.

A Message from Your Systems Advocate



of life.

Welcome to another issue of “The Legislative Lookout,” where an open invitation is always extended to anyone interested in becoming involved in the Statewide Systems Advocacy Network (SSAN). This newsletter is designed to introduce readers to the numerous barriers confronting persons with disabilities and point out the variety of ways individuals can participate in order to bring about positive change in their community, their family, and even improve their own quality

The difference our advocacy network makes is that people don’t work alone, but work in concert with many others. To this end, we as advocates at CCFI have developed a blog to complement this newsletter and promote discussion and inform everyone about the goals, actions and accomplishments of the SSAN.

Although it is the NYAIL Disability Priority Agenda that drives the overall direction of the blog, we also encourage participants to post disability related information as an FYI to all interested readers to act as a catalyst encouraging lively discussion regarding Systems Advocacy and disability related issues.

The blog is a work in progress, so feel free to post your comments at:

<http://www.ssan-network.blogspot.com>

You may also make comment directly to me here at CCFI at: creichardt@ccfi.us

Charlie Reichardt
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As we New Yorkers reflect on the year of 2009 under the leadership of a Governor with a disability, perhaps it is time to take a look at whether or not he has the understanding and fortitude we hoped for or whether things will remain status quo. Where does our current State administration stand on issues that pertain to you as a person with a disability? Is positive change to the disability community being planned? To help answer these questions we are devoting most of this issue of the Lookout to examining just what Governor Paterson and the current administration in Albany have promised for people with disabilities and just what they have or haven't done to illustrate how well they plan on living up to their promises of support of persons with disabilities.

As you read on though, remember that the Center is always on the "lookout" for new advocates interested in getting involved in the community by becoming an SSAN volunteer. No previous experience is necessary, just a desire to be part of an exciting team working together to create a barrier free environment for all New Yorkers.

So, if you haven't already done so, join today. Tell your family and friends about the SSAN and take this opportunity to let your voice be heard! You'll be glad you did!

Governor Paterson: Friend or Foe **Do You Know Which?**

As a consumer directed cross-disability organization, the Catskill Center for Independence is one of many independent living centers across the state dedicated to enhancing the quality of life for persons with disabilities. Our vision is a barrier-free society with opportunities for all people to achieve their maximum potential. It is for these and other reasons that we oppose Governor Paterson's recently proposed cuts to Supplemental Security Income (SSI) and other cuts, which if invoked would have negatively impacted the poorest, most vulnerable New Yorkers.

The Governor actually considered cutting \$11.4 million from SSI. This cut would have reduced the state's supplemental portion (\$87) to the federal SSI benefit, which in total might provide a maximum of \$761 a month to an individual. Such a cut, no matter how small, would have devastating effects for someone dependent on SSI. Not only would they have faced the loss of income from the proposed cuts, but also would have faced reductions or even the complete loss of in-home and other support services that keep them out of institutions.

In fact, the Governor's proposals (if implemented) may actually increase the state's overall costs rather than decrease costs if they were allowed to stand. The proposed 10% reductions in payments to home care providers and personal care would have deprived people of care and services that are essential to their ability to remain safely in their own homes as productive members of their community.

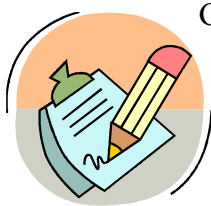
In addition, state funding for ILCs has seen only one small increase in the last decade. Our need for services is rising sharply. We prevent people with disabilities from being evicted; we help them solve problems with public assistance, Medicaid and food stamps; we make sure that they can get the health care they need; we help them gain access to education, training and job placement. Independent Living Centers saved taxpayers \$9 in deinstitutionalization costs for every State dollar invested in them, contributing to a net savings to the state of upwards of \$110 million each year resulting in avoided institutionalized care for people with disabilities. People with health care needs that are nursing home eligible do not want to go to institutions for care. In New York they don't have to, yet the Governor proposed cuts here as well.

The legislature knows that monies supporting home care services result in cost saving measures, so why would the governor seek to reduce funding the source of cost saving initiatives: Independent Living Centers. ILCs not only save the state in Medicaid dollars, but help people live where they want and receive healthcare services the way they want.

The proposed cuts were unwise because they would have reversed important policy choices, which are not in line with the law. These changes would have put the State on a collision course with federal civil rights law. The Americans with Disabilities Act (ADA) requires "public agencies to provide services in the most integrated setting appropriate to the needs of qualified individuals with disabilities", Olmstead v. LC and EW, 527 U.S. 581 (1999). New York has been moving all too slowly towards serving people in the most integrated setting. These cuts, if enacted, would have set us back further in our efforts to meet our responsibilities under the law.

So, is our Governor friend or foe?

Governor Paterson Should Have Signed These Bills



Governor David Paterson continued to display what he thinks of people with disabilities by striking a double blow against disabled New Yorkers by vetoing two critical pieces of civil rights legislation. The bills, overwhelmingly passed by the state Legislature, would require state law to conform to federal requirements under both the Americans with Disabilities Act (ADA) and the Help America Vote Act (HAVA).

One bill would add ADA language into the state human rights law to protect against discrimination on the basis of disability in services provided by state and local governments. The bill would have clarified the obligations of government officials. Why would a governor not want to ensure that officials have a better understanding of their obligations under federal law?

The second bill would have required all polling sites to comply with ADA accessibility guidelines. Unfortunately, the governor's response to that obligation was: "it would create an unreasonable financial burden for places that currently have federal waivers for the requirements." The only waiver available is provided by the state through county boards

of elections, which is what this bill would have changed. One HAVA requirement is to ensure that voters with disabilities may cast a ballot privately in the same place and manner as all other voters. This is not possible if polling places violate federal law, which is essentially what will continue to occur as long as New York grants waivers.

Governor Paterson's veto has made it more difficult for New Yorkers with disabilities to utilize state human rights administrative procedures to address grievance involving state and local governments including lack of physical access to polling places. In effect, Governor Paterson is reminding New Yorkers with disabilities, once again, that they will remain disenfranchised marginalized and discriminated against. After all, why would a person with a disability deny others with disabilities their fundamental right to vote, as well as deny them access to state and local government-run programs, services and activities?

"It is unconscionable and highly ironic that a governor with a disability has vetoed these bills," said Christine Zachmeyer, a board member and vice chairwoman of the New York Association on Independent Living and Executive Director of the Catskill Center for Independence. "We are very disappointed", she continued.

Thanks To You And Your Efforts



Through the efforts of the SSANs and those of many other ILCs, there will be no cut to ILC funding in the budget agreement just passed. The SSI cut was also stopped. Your willingness to come to Albany to visit your local legislators' offices and to get your volunteers to make calls and send emails made the difference. If you have ever wondered about the power of our Systems Advocacy Network, you need wonder no more.

Unfortunately, many other services provided by ILCs and/or used by people with disabilities were cut including Office of Mental Retardation and Developmental Disabilities and Office of Mental Health funded services.

The fight that started in January over next year's budget will be much harder, and we know we can count on your efforts to fight cuts once again. Thanks as always for your hard work.

If you would like any additional information regarding the content of this newsletter or about the Statewide Systems Advocacy Network contact:

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Contact Catskill Center for Independence at:
607.432.8000 or ccfi@ccfi.us or visit our website at: www.ccfi.us

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