

COMMUNITY NOW!

...promoting inclusive communities for all people marginalized because of a disability



MISSION

Community Now! is a statewide nonprofit organization passionately committed to promoting inclusive communities for all Texans often marginalized because of a disability

WE BELIEVE...

Our loved ones with disabilities should have the option to live in their communities and not languish on long waiting lists for services or forced to live in a dangerous, dehumanizing segregated institution.

The services for our citizens with disabilities must be nothing short of exceptional and that those responsible for providing these services must be held accountable.

Public policy and tax dollars must be aligned to support Texans with disabilities who want to live in smaller, more cost efficient settings in their communities and no longer support the waste and abuse of a failed institutional system.

May is here and the budget is very much in flux. Things are changing every day and legislators continue to find funds. Right now the Senate does not have the 2/3 votes necessary to pass SB 1. They hope to bring the budget to the Senate floor next week - the first week in May, but if the votes are not there then we will see a special session. In a special session the 2/3 votes needed will change to a majority vote. 51% passes the bill. For this reason many Senate democrats are voting YES on the budget as is. They worry that if they have to go to special session the budget will get worse, and they will have less room to negotiate. After SB 1 is passed, whether it is in special session or not, the budget will go to conference committee. The job of the conference committee is to merge SB 1 and HB1 into a bill that both the Senate and House can agree to. After the conference committee has tweaked the bill both the house and senate vote to pass it. Then the bill is off to be signed by the Governor. We hope to know more soon.

Please keep an eye out for a few bills of importance – see page 5 for additional information.

– Joe Tate

Garrison-Tate's Capital Capers

Grace, Joey, & Charlotte Garrison-Tate meet with Legislative aides in the hallways of the State Capitol to support HB2536 & SB614



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“To sin by silence when they should protest makes cowards of men.” – Abraham Lincoln

NO CUTS TO COMMUNITY-BASED SERVICES – REFORM LONG-TERM CARE!



Building Community

Written by, Coleen Tomko © 1996 Kids Together, Inc. www.kidstogether.org

Building Community is supporting people in making and sustaining connections with others in their communities; it is not just a disability issue. It's connecting people with one another and teaching humanity.

When a community is made up of people who are interdependent with each other and utilizes its natural resources that already exist, then the lives of its people are less dependent on the availability of services. This interdependence is of higher value than independence because people can count on each other. When they do have a need it can be met from others who know and care about them and not dependent on paid professionals and dwindling government supports.

Excluding people from the community, requiring them to enter segregated facilities to meet their needs, as opposed to meeting their needs in the community, reduces the individual's quality of life, as well as the overall quality of the community as a whole. Expanding each person's circle of friends, supports and connections, enhances their quality of life and enhances their capability to contribute to society using their abilities.

Many of us believe that when some people are excluded from the social fabric of our communities, that fabric contains a hole. When the fabric contains a hole, the entire fabric is weakened. It lacks the richness, texture and strength of diversity. ~ Author unknown

One out of five Americans have a disability, according to the U.S. Census Bureau. Fifty percent of all people will have some type of disability during their lifetime, and almost everyone will know or care about someone who has or will have a disability. Disability is a natural condition of the human experience. It should **not** be viewed as a deficiency, but as having specific needs. Each person's needs make up the community's needs and each person's contribution adds to the richness of the whole community. The overall quality of a community is dependent of the quality of life for *each* individual who makes up that community.

Creating accessible communities that are able to meet a variety of needs, not only benefits those who have disabilities or those who will acquire disabilities, it benefits everyone in the community. Things like curb cuts, help the delivery person, the caretaker pushing a baby stroller, the couple moving into a new home, as well as the person who uses a wheelchair. Removing barriers both physical, social and others allows people to use their ability and contribute to society. It gives everyone access to things we value and it acknowledges that we value everyone in our community.

Inclusion communicates something more than "integration". It means people participating in families, schools, (and classrooms), in work places, and in community life. "Inclusion" implies that people are welcomed, that each person reaches out to include another person. Inclusion is different from "letting in" or "adding on." Inclusion conveys the idea that we appreciate each other, that we see each other's gifts, that we value being together. Inclusion speaks to the importance of relationships. TASH Newsletter (June, 1990)



Barriers to Community!

The 13 Sacred Cash Cows (SSLC's) – of Texas

There are many barriers, mostly human barriers that prevent individuals who have a disability from living a meaningful life in the community. Some of these are attitudes, access, lack of expectation, antiquated systems, etc. But in Texas there is an even bigger barrier – an institutional bias held by the Texas Legislature.

What we know – JUST THE FACTS

- Texas has 13 State Supported Living Centers (a.k.a. state institutions) with an estimated maintenance cost from 2010-2015 of \$474,660,172.
- The Legislative Budget Board (LBB) has recommended closing 1-2 of the SSLC's. SB 1 included a Rider that was removed. When asked why, Senator Ogden, Committee Chair stated: "There is no political will to move this forward."
- The cost for serving individuals in an institution is 3-4 times higher than community-based services for individuals who have a disability.

(a) The projected number of residents, individuals who have a disability living in the 13 SSLC's in 2011 is 4098 – the projected population by 2013 - 3686. The monthly cost, per person; \$13,149.85 in 2011 – \$14,662.52 by 2013.

(b) There are over 100,000 individuals waiting on an "interest list" for community-based services at an estimated monthly cost, per person of \$5,000.00 or less.

- There are 2 bills, SB 614 (Rodriguez) and HB 2536 (Schwertner), relating to the creation of the SSLC Realignment Commission & the residential placement of individuals with I/DD that depoliticizes decisions related to consolidation and closure. HB 2536 was referred to the House Human Services Committee and SB 614 was referred to the Senate Health and Human Services

Committee. Neither bill has moved out of committee.

The Legislatures Answer - STATE FUNDED ABUSE!

- Maintain 13 facilities that are under utilized and costly.
- Continue to throw money at a failed system. Cameras have been added to common areas, funding for increased staff and training allocated, an ombudsman was appointed, and more... The results –reports of abuse and neglect continue, facilities are understaffed, and after 2 years, only 8-12% compliant with the Settlement Agreement between the State of Texas and The Department of Justice Office of Civil Rights.

Legislative answers *that are* HYPOCRITICAL no matter the party affiliation. There is "no political will" to close the SSLC's because legislators worry about political gains and strong unions more than fiscal accountability - keeping all 13 SSLC's open. A costly and immoral decision made on the backs of individuals who have a disability – many who do not have a voice.

The Myths – (1) money and jobs will diminish, (2) individuals who live in institutions can not be cared for in the community. THIS IS NOT TRUE! Ten states have closed their large institutions and persons are living in the community with necessary supports. When institutions close money will flood local communities – Facilities and land could be sold, houses will be bought or leased, support services will be secured, and persons who have a disability will obtain jobs, pay taxes, and spend money in local businesses.

Our demand - INVEST IN COMMUNITY & FREEDOM!

- Place the Rider to close 1-2 of the SSLC's back in SB 1
- Schedule hearings for SB 614 & HB 2536
- **NO** cuts to community-based services. Utilize "Rainy Day Funds" and find new money - close tax loop holes
- **CONSOLIDATE & CLOSE SSLC's**

"Those who desire to give up freedom in order to gain security will not have, nor do they deserve either one."

- Benjamin Franklin

Community Now!

Texas 82nd Legislative Recommendations for Long Term Care Reform

- 1) Direct the Health and Human Services Commission to develop a long range plan to re-balance long term care services for Texans with Disabilities. This plan should include the following components:
 - Develop a diversely represented Task Force to guide plan development.
 - Close and consolidate State Supportive Living Centers (SSLC) as the population decreases. The closure process must include the choices of those choosing to remain in these facilities and ensure those who wish to leave have every opportunity to do so.
 - Ensure supports and services for people living in the community are available, exceptional and accountable.
 - People transitioning from SSLC's to community settings should develop a Person Directed Plan to ensure the successful transition in order to meet individual needs.
 - Money Follow the Person protocols utilized for people with disabilities exiting nursing homes and private ICF-MR facilities should be incorporated to support people exiting SSLCs.
 - Designate all funding saved through consolidation and closure of SSLCs to fund people with disabilities on Waiting Lists for community services and supports.
- 2) Consolidate Medicaid Waivers into a system that determines services based on needs generated through Person Centered Planning.
- 3) Personal Care Attendants and other Direct Support Professionals must be paid a living wage plus appropriate benefits.
- 4) Expand Consumer Directed Services (CDS) options to all waiver services and ensure information on how to access these services is readily available and accessible.

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To learn more about Community Now! visit us online at:

www.communitynowfreedom.org

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The 82nd Legislative Session

IT ISN'T OVER YET!



Given the large budget shortfall the Texas Legislature is grappling with, everyone is paying close attention to the legislative process. This should be no different for individuals whose life is affected by disability.

Proposed cuts to long-term care supports and services continue to move forward and threaten the day-to-day supports and services needed for individuals who have a disability to live in the community. What are you doing to help CLOSE and CONSOLIDATE SSLC's and STOP these cuts?

HOW YOU CAN HELP...

(1) Visit, call, write or fax members of the Senate Finance Committee and ask them to place the Rider to close 1-2 SSLC's back in Senate Bill (SB) 1.

(2) Contact Representative Schwertner – HB 2536 and Senator Rodriguez – SB 614 and encourage them to take necessary action to move their bill forward.

(3) Join the Community Now! Yahoo Group to receive updates, action alerts and *more*:
http://groups.yahoo.com/group/Community_Now/join
or follow us on Facebook:
<http://www.facebook.com/#!/communitynowfreedom>.

BILLS OF INTEREST...

- **82(R) SB 1 & (82R) HB 1** - *Relating to General Appropriations for the 2012/13 biennium*

Community Now! **does not** support these bills. Proposed cuts to Medicaid funding would be devastating to individuals who have a disability.

- **82(R) SB 415** Zaffirini– *Relating to individuals with intellectual disabilities committed to SSLC's. Excerpt: An order for long-term placement in a residential facility must state that the commitment for care, treatment, and training is authorized for not more than 12 months.*

Community Now! **supports** this bill.

- **82(R) SB 614**, Senator Rodriguez & **(82R) HB 2536**, Representative Schwertner - *Relating to the creation of the State Supported Living Center Realignment Commission & the*

residential placement of individuals with I/DD.

Community Now! **supports** both of these bills.

- **82(R) SB 1811** Duncan – relating to State fiscal matter

Community Now! **supports** this bill. The bill will raise revenue! Among many things, it would: accelerate alcoholic beverage taxes, sell various state properties, liquidate unclaimed securities, accelerate franchise tax, and repeal hotel tax permanent resident exemption. Added revenue would be in the billions.

- **82(R) HB 2407** Darby - *Designating San Angelo State Supported Living Center as a forensic facility.*

Community Now! **does not** support this bill. This is a likely attempt to save the San Angelo SSLC.

- **82(R) HB 3562** Lucio III - *Relating to the liability of the state for a violation of the federal Americans with Disabilities Act.*

Community Now! **supports** this bill.

- **82(R) HB 3692** Gallego – *Relating to peace officer interaction with persons with mental illness and to a person's incompetency to stand trial. Excerpt: a peace officer answering an emergency call shall attempt to determine whether any person involved in the emergency call is a person with mental illness.*

Community Now! **does not** support this bill

Freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed.

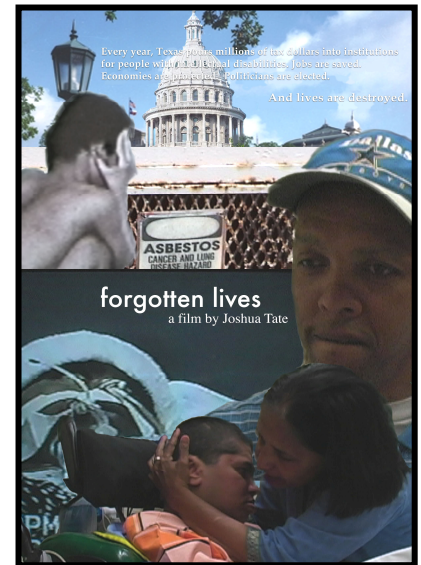
– Martin Luther King, Jr.



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Forgotten Lives, A film by Joshua Tate

Forgotten Lives is a 44 minute award winning film that chronicles the horror and abuse perpetrated against Texas' most vulnerable citizens inside state institutions and offers hope for a future of freedom and dignity in the community.



What is Inclusion?

by Shafik Asante © Inclusion Press <http://inclusion.com/>. Copied with Permission

In 1955 the story of a brave and tired woman named Rosa Parks was put in front of this country's awareness. They say this woman had gotten tired, in fact, historically tired of being denied equality. She wanted to be included in society in a full way, something which was denied people labeled as "black" people! So Rosa Parks sat down on a bus in a section reserved for "white" people. When Rosa was told to go to "her place" at the back of the bus, she refused to move, was arrested, and history was challenged and changed. All of this happened because Rosa Parks was tired, historically tired of being excluded. She had sat down and thereby stood up for inclusion! Another powerful cry for "inclusion" is being heard today. This new cry is being raised by people with unrecognized abilities, (the so-called "disabled"). Many people whose abilities are regularly denied or ignored feel that society is not honoring the right to participate in society in a full way. Part of the call is for better accessibility, such as more wheelchair ramps, more signs and materials in braille, community living, etc. The Americans with Disabilities Act represents an attempt to hear the "inclusion" cry. However, much more needs to be done including a search for an acceptable definition and practice of inclusion. Across this country a

definition of inclusion is offered. It is generally accepted that "Inclusion" means inviting those who have been historically locked out to "come in". This well-intentioned meaning must be strengthened. A weakness of this definition is evident. Who has the authority or right to "invite" others in? And how did the "inviters" get in? Finally, who is doing the excluding? **It is time we both recognize and accept that we are all born "in"!** No one has the right to invite others in! It definitely becomes our responsibility as a society to remove all barriers which uphold exclusion since none of us have the authority to "invite" others "in"! So what is inclusion? Inclusion is recognizing our universal "oneness" and interdependence. Inclusion is recognizing that we are "one" even though we are not the "same". The act of inclusion means fighting against exclusion and all of the social diseases exclusion gives birth to - i.e. racism, sexism, handicapism, etc. Fighting for inclusion also involves assuring that all support systems are available to those who need such support. Providing and maintaining support systems are a civic responsibility, not a favor. **We were all born "in"**. Society will immediately improve at the point we honor this truth!!