



# Connecticut Disability Advocacy Collaborative Bulletin

“Enhancing the effectiveness of disability activism by organizing and empowering individuals, families, groups, and organizations!”

**Empowerment! Opportunity! Justice!**

**August-September, 2007**

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Points of contact:

Stan Kosloski, 860-635-0695 or [skosloski03@comcast.net](mailto:skosloski03@comcast.net)

Jayne Kleinman, 203-631-4800 or [jjk1009@hotmail.com](mailto:jjk1009@hotmail.com)

Larry Robinson, 203-335-7800 or [robinsonlarry2005@yahoo.com](mailto:robinsonlarry2005@yahoo.com)

For archived Bulletins go to [www.kleinmanconsulting.com](http://www.kleinmanconsulting.com) and [www.ct-dac.org](http://www.ct-dac.org)

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**The Connecticut Disability Advocacy Collaborative (CDAC) announces a new look to our web site. Check us out at: <http://www.CT-DAC.org>**

### **Collaborative Supports Road to Freedom Tour & ADA Restoration Act**

The Disability Advocacy Collaborative has taken the lead in garnering support for the enactment of the ADA Restoration Act, introduced in Congress on July 26, 2007, the 17<sup>th</sup> anniversary of the signing of the ADA (see article below). To heighten public awareness of the need for the Act, ADA Watch and the National Disability Rights Network are conducting a national tour, modeled after the tour the late Justin Dart organized in the 1980s to garner support for the ADA. The Tour will be in Connecticut in mid-October, and plans are being made to host activities in New Haven, Hartford, and Torrington on October 14 and 15. The next edition of the Bulletin will include details of the Tour schedule so stay tuned. To find out more about the Tour, go to <http://roadtofreedom.org/cs/home> .

To provide vital information about the need for the ADA Restoration Act, the Collaborative has joined with the ADA Coalition of Connecticut and Advocacy Unlimited to offer a special workshop on Monday, September 24, 2007 from 9 am – 12:30 pm at the Newington Town Hall, 131 Cedar Street in Newington (also Rte. 175). There will be no charge to attend. A flier announcing details of the workshop will be sent out the week of August 20, 2007.

### **So What’s the ADA Restoration Act All About?**

Seventeen years ago, Congress passed the Americans with Disabilities Act (ADA) with overwhelming bipartisan support. However, in recent years, a number of Supreme Court decisions have significantly reduced the protections available to people with disabilities in employment settings. Courts are quick to side with businesses and employers, deciding against people with disabilities who challenge employment discrimination 97% of the time, often before the person has even had a chance to show that the employer treated them unfairly.

Indeed, courts have created an absurd Catch-22 by allowing employers to say a person is "too disabled" to do the job but not "disabled enough" to be protected by the ADA. People with conditions like epilepsy, diabetes, HIV, cancer, hearing loss, and mental illness that manage their disabilities with medication, prosthetics, hearing aids, etc. -- or "mitigating measures" – may be

viewed as "too functional" to have a disability and are denied the ADA's protection from employment discrimination.

The American Association of Persons with Disabilities (AAPD) has been working with a broad coalition of disability organizations who have helped Representative James Sensenbrenner (R-WI) draft the ADA Restoration Act of 2007, which would enable Americans with disabilities utilizing the ADA to focus on the discrimination that they have experienced rather than having to first prove that they fall within the scope of the ADA's protection.

With this bill, the ADA's clear and comprehensive national mandate for the elimination of discrimination on the basis of disability will be properly restored. Majority Leader Steny Hoyer (D-MD), who played a leading role in passage of the ADA in 1990, will be an original co-sponsor. As of August 1, 165 sponsors have signed on to the proposal.

The ADA Watch / Road to Freedom Tour is hosting an online petition urging Congress to pass the ADA Restoration Act of 2007 into law. To read and sign the petition, visit:  
[http://www.democracyinaction.org/dia/organizationsORG/adawatch/petition.jsp?petition\\_KEY=589&t=roadtofreedom.dwt](http://www.democracyinaction.org/dia/organizationsORG/adawatch/petition.jsp?petition_KEY=589&t=roadtofreedom.dwt)

### **Disability Advocacy Collaborative Regional Contacts**

To get involved with a Regional Advocacy Network, contact the following:

Northwest -- contact: Bill Knight ([lackerman01@snet.net](mailto:lackerman01@snet.net)) – meetings are held at the Litchfield Arc

Southwest –contact: Carol Kana ([pkana@snet.net](mailto:pkana@snet.net)) – meetings are held at the Norwalk Police Department

Danbury Area -- contact Pam Arturi ([parturi@abilitybeyonddisability.org](mailto:parturi@abilitybeyonddisability.org)) – meetings are held at Ability Beyond Disability in Bethel

North Central — contact: Candace Low ([clow@independenceunlimited.org](mailto:clow@independenceunlimited.org)) – meetings are held at 151 New Park Avenue in Hartford

Waterbury Area –contact: Mike Valuckas ([mike.valuckas@independencenorthwest.org](mailto:mike.valuckas@independencenorthwest.org)) – contact Mike for information about next meeting

Northeast Area – contact: Carolyn Newcombe ([cnewcombe@charter.net](mailto:cnewcombe@charter.net)) – meetings are held at the Mansfield Senior Center.

### **Spirit of the ADA Celebration & Public Transportation Summit**

The Connecticut Developmental Disabilities Network and the Plan for the Achievement of Transportation Coordination in Human Services (PATHS) Project hosted the Third Annual Spirit

of the ADA Celebration on July 26 by honoring advocates who have gone above and beyond to promote access to public transportation. The agenda included an update from the Connecticut Department of Transportation on coordination initiatives in Connecticut, response from members of the disability community, and information on model programs from around the U.S. There was an opportunity to hear about how Colorado is doing it - "Better Transportation for Individuals with Disabilities: Colorado's Experience", with Julie Reiskin, Executive Director, Colorado Cross-Disability Coalition and Tom Mauser, Modal Planning Manager, Colorado Department of Transportation.

To view the event go to the CT-N video available at <http://www.ctn.state.ct.us/ondemand.asp?ID=2891>.

Congratulations go out to the following Celebration Award Recipients: The Mobility Services Program at the Kennedy Center and Melissa Cloutier from the Center, John Esteves, FAVARH, Elaine Kolb, Steve Warren, Gloria Mills (CACT), Rev. Michael Donnelly, Claude Holcombe, Robin Wood, Michael Sanders and Lisa Rivers from ConnDOT, Mary Ann Langton, state Senator Jonathan Harris and Tom Cheeseman.

### **People First Applauds Bill Signing**

On August 15, People First of Connecticut, joined by other advocates, family members, and service providers, applauded Governor Rell at the signing of the bill changing the name of the Department of Mental Retardation to the Department of Developmental Services. Carol Grabbe and Tom McCann joined Commissioner Peter O'Meara to witness the pen being put to the paper. The name change was a priority of People First for many years and this year their hard work paid off.

People First member Bill Berry penned a poem for the day, which articulates perfectly the intention of the change:

Hail, Hail! We are heroes all  
Oh no longer will we have to take a fall  
Yes, Self Advocates, for a new dawn is here at last!  
Oh that nasty "R" word is a thing of the past!  
We showed you all who gave us a label  
See – I told you we were able  
Yes, let us all join hands  
It's time to celebrate across the land  
Yes, we too are women and men

### **DSS Lawsuit Settled!**

On June 1, in the U.S. District Court in New Haven, a settlement agreement was submitted, ending a lawsuit filed against the state Department of Social Services several years ago on behalf of low income Connecticut residents with disabilities. The case, brought by a woman named Lori Raymond and certified

as a class action, challenged the state's compliance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

Under the settlement, which still must be approved by the court, the state agrees to implement a number of Policy Manual changes; conduct staff training; publish notice on the availability of reasonable accommodations and complaint procedures; minimize disability as a barrier in the eligibility process; and make improvements in agency operations and the agency's environment, including structural changes in its twelve regional offices.

Connecticut Legal Services, Greater Hartford Legal Aide, and New Haven Legal Assistance provided the legal support for the plaintiffs.

## **P.J. Settlement Reviewed**

Experts from around the country were in Connecticut recently to address the serious concerns that have been raised about what is happening to the class members of the P.J. inclusive education case, settled several years ago. The experts reviewed student records, met with class members and filed reports on what they found. For more information on the status of the Settlement Agreement, contact Arc/CT Executive Director Lynn Warner at 860-953-8335 or [arcct@aol.com](mailto:arcct@aol.com).

The participation of the experts brought huge financial responsibilities for the Arc. Donations are being accepted from volunteers, local Arc chapters, and friends to cover experts' expenses and other associated costs. If you would like to financially support this effort to expand inclusive opportunities for children with disabilities, contact the Arc.

## **Transportation Service Expanded in Waterbury Area**

Independence NorthWest, an independent living center located in Naugatuck, reports that transportation service has recently been expanded in the greater Waterbury area. On July 1 a Sunday bus service began in the region, with an accompanying paratransit service as well. Both services run from 9 am – 5:30 pm. For more information contact the Greater Waterbury Transit District at 203-573-8627 or [www.gwtd.org](http://www.gwtd.org).

## **Medicaid Infrastructure Grant is Now Connect-Ability**

The Medicaid Infrastructure Grant has a new name! Now known as Connect-Ability, the initiative has a new look and personality that will be more inviting to employers, people with disabilities, service providers, and the general public. This four-year, multimillion dollar federal grant to the Connecticut Department of Social Services focuses on reducing barriers to employment for people with disabilities. Much thought and consideration went into selecting Connect-Ability as its new name.

The initiative is all about connections. Connecting employers and people with disabilities is critical, but that is only one level the needs to be addressed. Businesses, Chambers of Commerce, high schools, colleges, vocational/technical schools, agency programs and initiatives, federal, state, and local initiatives, nonprofit organizations, faith-based groups, and ordinary citizens all hold a part of the answer to increasing the employment of people with disabilities. Connect-Ability seeks to increase communication and collaboration between the many distinct efforts in order to maximize the effectiveness of the whole.

Connect-Ability is also about seeing the ability and not the disability. The initiative's comprehensive marketing campaign is intended to have an impact on people's perceptions of one another. The more it

becomes clear that people with disabilities have skills and talents that are needed by Connecticut businesses, the less disability will be an employment issue in the future.

The new name and logo were unveiled at the Second Annual Employment Summit, held at the Connecticut Convention Center in Hartford on June 27. Nearly 250 employers, people with disabilities, service providers, and state agency staff met to learn about the initiative's progress and to get a first look at television, radio, and print advertisements which began to blanket the state that week.

For more information about this exciting initiative, visit [www.connect-ability.com](http://www.connect-ability.com), or contact Amy Porter at [amy.porter@ct.gov](mailto:amy.porter@ct.gov) or 1-800-773-4636.

### **BIAC Celebrates 25<sup>th</sup>!**

The Brain Injury Association of Connecticut (BIAC) celebrated its 25<sup>th</sup> anniversary at its Summer Picnic and Recreation Program, held on Thursday, August 16 at Wickham Park in Manchester. The Collaborative congratulates BIAC on its many accomplishments on behalf of Connecticut residents with brain injury and their families.

From September 14-16, BIAC will hold a Personal Enrichment Retreat at the CONNRI Lodge in Ashford. The event, which is for adults with brain injuries, will provide opportunities for socialization and relaxation with “people who know what it’s like”.

For more information call 860-721-8111 or 1-800-278-8242 (toll free).

### **YLF Completes 8<sup>th</sup> Year!**

The Youth Leadership Forum, an initiative of the Youth Leadership Project, Inc. completed its eighth year of operation this summer with an intensive four day leadership course held at the University of Connecticut in Storrs. Thirty five high school students with a wide range of disabilities attended the program, using the dorm facilities, cafeteria, and classrooms on UConn’s South Campus. For many of the delegates it was their first time away from home; for others it was the first time they had an opportunity to interact with another person who shared their personal disability experience.

The course itself consisted of large group and small team activities that covered such topics as Disability History, Disability Awareness – Disclosure Concerns, a Core Values exercise, a Team Leadership activity, and the development of a Team Project. One entire day was spent on the Ropes Course at the Easter Seal Camp in Hebron where physical challenges were presented to the teams that they had to find a solution for themselves. The Looking in Theater from Hartford took part on Wednesday, and Rebecca Hare from the Institute for Educational Leadership in Washington, DC was in attendance for three days.

Retired State Transitions Coordinator Karen Halliday is Executive Director of the Youth Leadership Project, Inc. and Kathleen Kabara, who works for the State Department of Social Services is President of the YLP Board of Directors.

Applications will be available this fall for the 2008 YLF.

## **DDC to Support Youth Activists**

At its June 19, 2007 meeting, the Connecticut Council on Developmental Disabilities set aside \$10,000 to enable youth leaders with developmental disabilities to participate in activist activities locally, statewide and nationally during 2008. A meeting has been set for Thursday, September 20, 2007 at 1 pm at the Institute Of Business and Technology Development (185 Main Street in New Britain) to reach consensus on an entity to receive and manage the Council's funds. This meeting is a gathering of entities thought to be interested in serving this purpose.

The intent of this initiative is to reach people with developmental disabilities under the age of 21 who are emerging leaders. Activist activities include attending and participating in demonstrations and rallies concerning issues of importance to people with developmental disabilities and their families. Funds are not intended to be used simply to enable participation in conferences and meetings. Funds are not intended to be used for events specific to a disability label. Funds may be used for transportation, travel, personal assistants, interpreters, meals, lodging, travel and other expenses that enable participation. Council funds will be allocated to an entity through a memorandum of agreement. The entity allocated funds will be the recipient of requests for support from youth with developmental disabilities or their advocates. The entity will decide on the appropriateness of requests. The entity will also arrange and pay for transportation, travel, accommodations, etc. as agreed upon between the entity and applicants or the applicant's advocate. No more than \$1,000 of these funds may be used by the entity for administrative costs.

Please contact Angela Spino for further information: Phone (860)-418-8709 Email: [angela.spino@po.state.ct.us](mailto:angela.spino@po.state.ct.us).

## **Special Ed Public Hearings**

In 2004, the Individuals with Disabilities Education Act (IDEA 2004) was reauthorized. Two years later, the federal regulations for this statute were published. Now, here in Connecticut, our state regulations are in the process of being amended. Part of this process is to allow the public to respond to the proposed regulations. Below are excerpts from a notice from the State Department of Education about the public input process.

“Statement of purpose: To adopt the IDEA standards for the provision of a free appropriate public education in the least restrictive environment to children with disabilities and to clarify state specific requirements for the provision of special education to children with disabilities and the evaluation of gifted and talented children.”

Several public hearings have been held already. Persons wishing to present their views regarding these proposed regulations may do so at the remaining hearings, to be held at Regional Educational Service Centers as follows:

- September 17 – 10 am to 3 pm – EASTConn - 376 Hartford Turnpike - Hampton
- September 24 - 6:30 pm to 9:30 pm - CREC - 111 Charter Oak Avenue - Hartford
- October 15 - 10am to 3 pm - EdConnection - 355 Goshen Road - Litchfield

· October 22 - 10am to 3 pm - LEARN - 44 Hatchetts Hill Road - Old Lyme

Persons needing accommodations to participate in the public hearing, including translators, should contact Theresa DeFrancis at (860) 713-6933 no later than 2 weeks prior to the scheduled hearing date to ensure that their needs are appropriately accommodated. Interested persons may submit data, facts, views and arguments in writing to Theresa C. DeFrancis, Esq., State Department of Education, P.O. Box 2219, Hartford, CT 06145. Copies of the proposed regulations and the fiscal note may be obtained from Ms. DeFrancis.

### **Two New Web Site Go Live!!**

On July 16, Governor M. Jodi Rell announced the launch of the long awaited Long-Term Care Website ([www.ct.gov/longtermcare](http://www.ct.gov/longtermcare)). The Commission on Aging is working with the Office of Policy and Management and other state agencies to promote the availability of the site. In the coming weeks brochures and postcards will be available for promotion and an aggressive campaign unveiled to get the word out about this unique site. Check it out!

There is also new Connecticut website for people looking for housing information, developed by the state Department of Economic and Community Development. The site includes a free rental housing locator service, and identifies those units that claim to be “wheelchair accessible”. Take a look ([www.cthousingsearch.org](http://www.cthousingsearch.org)) or call 1-877-428-8844.

### **Interested in Crafts?**

The Connecticut Chapter of the National Federation of the Blind (NFB) is looking for folks interested in a new Crafters Division. This division will be a place where you can find other folks interested in a variety of crafting skills and a place to share knowledge and experience in working with others. Whether you are newly visually impaired and want to know if you can still crochet, you would like to learn how to quilt, you want to find another visually impaired person that uses a knitting machine, you do wonderful woodworking creations and want to know where you can sell your items or you would like to wholesale your hand crafted items and you need contacts to have people display your creations at trade shows, this will be a great resource for you.

If interested please e-mail Joyce at: [blindhands@aol.com](mailto:blindhands@aol.com)

### **Join ADAPT in Chicago and Reverse the Institutional Bias**

From September 8-13, ADAPT will be bringing the message of inclusion, liberty and disability rights to the Paris on the Prairie, and the Land of Lincoln! “My Kind of Town?”. Not if you’re one of the 85,000 stuck in an institution! Illinois has twice been rated among Ten Worst States in the U.S. for its long term care policies and practices.

ADAPT will also be holding a national housing forum September 9th to outline their agenda for housing, as well as to hear from people's direct experience with trying to access and afford housing across the nation!

To learn more about ADAPT in Connecticut contact Claude Holcomb at [adaptofCT2@juno.com](mailto:adaptofCT2@juno.com).

### **Meriden Receives Quality of Life Grant**

The Christopher and Dana Reeve Foundation (CDRF) has awarded the YMCA of Meriden, Connecticut, Meriden, CT, \$6,500. This Quality of Life grant will support the construction of a barrier-free playground at Hubbard Park. Specifically, grant funds will be used to underwrite the purchase of playground equipment for the 5-12 year olds.

Created by the late Dana Reeve in 1999, the bi-annual Quality of Life grants program supports organizations that help people living with disabilities become more fully integrated members of society. To date, 1,262 grants have been awarded totaling just over \$10 million.

### **“The Right to be Disabled”**

The Connecticut Down Syndrome Congress will host their annual convention on Saturday, November 10, with the agenda being “The Right to be Disabled”. Norman Kunc and Emma Van der Klift will lead participants in a “rousing call to place less emphasis on ‘fixing’ people and instead focus on the inherent assets and gifts that each person brings to the community”. Workshop topics include Birth to Three, IEPs, Self Advocacy, and Adult Life. Twenty businesses and organizations will be exhibiting products and services, including the latest books, educational toys, assistive technologies, and financial services. There will also be a silent auction.

The Convention will be held to the Crowne Plaza Hotel in Cromwell. More information can be found on the Convention tab at the Congress web site – [www.ctdownsyndrome.org](http://www.ctdownsyndrome.org) - or by calling 1-888-486-8537.

### **Playing It Safe: Emergency Planning for People with Disabilities**

Are you prepared for a natural or man-made disaster? Do you have the items you would need to take with you in case you had to leave your residence? If you have answered “no” to one or both of these questions, please consider attending the regional emergency preparedness conference on Saturday, September 8, 2007 from 9:45 a.m. to 3:00 p.m. at the NEAT Marketplace at 120 Holcomb Street in Hartford.

The conference is designed to assist you with taking the first step toward being prepared for any kind of disaster. Topics will include: creating emergency checklists and kits; keeping pets and service animals safe; ADA requirements; the important of community involvement; and emergency planning issues for parents who have children with disabilities.

Who should attend this important conference? People with disabilities certainly, as well as families, emergency personnel, educators, group home staff, and advocates.

To register or for more information, please contact Elanah Sherman at State Office of Protection and Advocacy at 860-297-4322 (V), 860-297-4380 (TTY), 1-800-842-7303 (V/TTY). You can also email her at [Elanah.Sherman@po.state.ct.us](mailto:Elanah.Sherman@po.state.ct.us). The deadline to register is on Wednesday, August 29, 2007. There is no fee to attend the conference.

### **Save the Date!**

On Saturday, September 29 the State Council on Independent Living will present “Forging a New Vision... Independent Living in Connecticut...Passing the Torch to a New Generation”. The event will run from 9:30 am – 6:30 pm and will feature Judy Heumann as Keynote Speaker. The conference will take place at Southern Connecticut State University in New Haven and will include a cultural event and chances for networking with people who have been involved with independent living since the beginning.

For more information contact:  
Debbie Melaragno  
Connecticut State Independent Living Council  
151 New Park Avenue - Box 29  
Hartford, CT 06106  
(860) 523-0126

### **NAMI-CT Presents FREE Support Group Facilitator Training in Spanish**

For parents of children and adolescents with behavioral health needs who want to make a difference, NAMI-CT is offering a unique weekend experience that will help you reach out to other individuals and families, and learn how to initiate, maintain and facilitate support groups.

Who?	Parent or caregiver of child or adolescent with behavioral health needs	
When?	Saturday September 22nd	9:00 am – 5:30 pm
	Sunday September 23rd	9:00 am - 3:00 pm
Where?	Manchester Super 8 Motel & Conference Center ( <u>overnight stay and all meals provided by NAMI-CT</u> )	

To register or for more information call: Paloma B. Dee (860) 882-0236 ext 27 at NAMI-CT (National Alliance on Mental Illness - CT Chapter).

### **Walk ‘N Roll with Communitas**

Save the date – Saturday, September 29, 2007 – and make plans to come to the campus of Manchester Community College (MCC) for the Kristen DeBonee Annual 5K (3.1 miles) or 1

Mile 'Fun Walk' WALK 'N' ROLL for the benefit of Communitas and the MCC Institute on Disability and Community Inclusion.

In order to increase "roller" participation, Communitas is making a special effort to invite walk 'n' rollers with disabilities and their family and friends -- as well as groups, which include children and adults with disabilities -- to this well organized FUN event!! The festivities begin between 9:30 & 10 am with registration (there is a \$5.00 Registration fee) and goodies in the MCC Arts, Sciences and Technology Lobby. The Walk "n" Roll itself begins at 10:00 am. Refreshments and prize drawings complete the activities of the morning.

To request a Registration Form or for further information, please contact Joan Jakiela (860 512-2705) or e-mail: [jjakiela@mcc.commnet.edu](mailto:jjakiela@mcc.commnet.edu). You may register the day of the event as well. You are also welcome to contact George or Pat (860 512-2789) or e-mail: [gducharme@mcc.commnet.edu](mailto:gducharme@mcc.commnet.edu) and [Bevjackson02@aol.com](mailto:Bevjackson02@aol.com) with additional questions.

### **Need Help with IEP Development?**

*Developing a Great IEP*, with Gary Mayerson, the latest in Autism Speaks' instructional video series, is now available at [autismspeaks.org](http://autismspeaks.org). The free 12- minute video provides important information for parents who are encountering the IEP process for the first time, as well as tips for parents who have been through the process before. Read more and watch the video at: [http://www.autismspeaks.org/howtoCOPE/iep\\_mayerson.php](http://www.autismspeaks.org/howtoCOPE/iep_mayerson.php)

### **Grants for Youth Projects**

The Walt Disney Company and Youth Service America are offering grants of up to \$500 to support youth-led service projects. These grants support youth between the ages of 5-14 in planning and implementing service projects in their community. Teachers, older youth (15-25), youth-leaders, and youth-serving organizations are also eligible to apply, provided that they that engage younger youth (5-14) in planning and implementing the service. Service can take place between October 1 and November 26, 2007. Projects can address themes such as the environment, disaster relief, public health and awareness, community education, hunger, literacy, or any issue that youth identify as a community need.

The application deadline is August 30, 2007. Learn more and download an application: <http://ysa.org/AwardsGrants/DisneyMinnieGrant20072ndRound/tabid/244/Default.aspx>

For proven and practical resources, please visit [www.schoolagenotes.com](http://www.schoolagenotes.com).

### **Subway Shops to be Made Accessible**

On July 31, the U. S. Department of Justice announced a comprehensive settlement agreement under the Americans with Disabilities Act (ADA) with Doctor Associates Inc. (DAI), the privately held corporation that franchises Subway sandwich shops throughout the United States. The agreement, which sets out steps to make Subway shops physically accessible to people with disabilities, affects more than 20,000 Subway franchises. The settlement focuses on barrier

removal for people with disabilities, to ensure that they have access to the facilities; use of the services offered by shops; and whenever readily achievable, access to restroom facilities in the Subway shops.

Because the individual Subway shops are franchisees, the agreement recognizes that DAI will facilitate the efforts to ensure compliance while the individual Subway shops will be responsible for removing barriers to access. In particular, DAI will conduct the initial architectural surveys to identify barriers; provide guidance on the ADA requirements and the steps each shop must take to address violations identified in the survey; revise its operations manual to reflect that shops are required to conduct evaluations and remove barriers and that penalties may be imposed if they do not comply; provide interest-free loans to its individual stores for the purpose of ensuring accessibility; and use its best efforts to locate accessible buildings in its site selection for future Subway shops. People interested in finding out more about the agreement can call the Justice Department's toll-free ADA Information Line at 1-800-514-0301 or 1-800-514-0383 (TTY), or access the ADA website at <http://www.ada.gov>.

### **Persons with Psychiatric Conditions in Nursing Homes**

From a Bulletin released by disability advocate and attorney Steve Gold: In 1987 when Congress enacted the Nursing Home Reform Act, it recognized that mentally ill residents required "specialized services." The Act stated that "the State mental health authority must review and determine" if each resident in a nursing home "requires specialized services for mental illness." If a person does not require nursing facility services but does require specialized services for mental illness, the State is supposed to arrange for both a safe and orderly discharge from the nursing facility and for provision of the specialized services.

In 2005, 19.7% of all nursing home residents in the United States had psychiatric conditions, such as schizophrenia and mood disorders. 13.2% of Connecticut residents were found to have such labeled "conditions."

If you include such drugs as anti-depressants, anti-anxiety medications, sedatives, hypnotics and anti-psychotic medications the percentage of residents who receive these psychoactive drugs rises dramatically. One might naively think they would be limited to the 19.7% of the residents who were labeled mentally ill. Not so. In 2005, 63.9% of all nursing home residents received psychoactive drugs, up from 50.3% in 1999.

One could surmise the reasons for such widespread use of psychoactive drugs are not mental illness, but "behavioral control." People doped up are easier for nursing facility staffs to control. Widespread use of sedatives causes lots of residents to just sit around the nursing facility and appear "out of it," suggesting disability advocates should ask their State mental health authority:

- \* Are all 13.2% individuals in Connecticut receiving appropriate specialized services?
- \* Do they even meet the nursing home level of care requirements, separately from their mental illness?
- \* How often does your State mental health authority visit and evaluate each resident? When was the last time?

\* What does your State mental health authority think about the high use of psychoactive drugs, and has anyone determined if the residents need them or if specific drugs are appropriate for each resident?

\* Is there an overuse of anti-psychotic medications in the nursing homes? Is there an overuse of sedatives?

\* Who is prescribing medications for the 63.9% of the residents on psychoactive drugs? Psychiatrists? Geriatric psychiatrists who are familiar with the medically appropriate use of these drugs? Doctors who may have no familiarity, training or experience with these? How often are residents medically reevaluated regarding continued use of these drugs?

## **Physical Devices and Restraints are used in Connecticut Nursing Homes Are They Always Necessary?**

Another Bulletin from Steve Gold: People do not enter nursing homes pursuant to a court order requiring them to stay involuntarily in these facilities. Unlike mental institutions and hospitals, people in nursing facilities can legally walk out and leave a nursing facility whenever they wish, including against medical advice. Nevertheless, physical devices and restraints are used throughout the nursing home industry.

In 2005, 92,303 people in nursing facilities were kept in some kind of physical restraints, presumably against their will and without any judicial or other independent authority's approval. The variation from state to state is quite amazing. In six states, more than 20% of the disabled residents were restrained in bed on a daily basis. On the other hand, fourteen states had 1% or less of their residents so restrained. Connecticut reported 4.0%.

The federal Centers for Medicare and Medicaid Services note that "restraints may not be used for staff convenience." If they are used, they must be only "for brief periods to permit medical treatment to proceed".

Again Steve Gold asks disability advocates:

\*Have you asked your State Medicaid officials for nursing facilities by percentages that use these physical restraints? This information is known and should be made public.

\*When you go into nursing facilities, have you discussed these restraint issues with the residents?

\*What "medical symptoms" justify bed restraints on a daily basis for seven days?

\*Do the nursing facility residents know their rights?

\*Have you and the residents reviewed their "plan of care" to determine what possible medical justification could conceivably warrant such restraints?

\*Do the residents know they can refuse "medical treatment?"

For a complete copy of this articles and to review the percentages state by state go to the <http://www.stevegoldada.com> Information Bulletin #221.

## **Repeat Announcements from June-July Bulletin**

## **CACLD's Fall Conference—October 13**

The CT Association for Children and Adults with Learning Disabilities (CACLD) Annual Conference will be held on Saturday, October 13, 2007: at the Stamford Marriott Hotel. Check [www.caclld.org](http://www.caclld.org) for more info. Topics Include: Reading, Math, College, RTI, NLD, IDEA, Family Issues, Study Skills, Advocacy, Anxiety, Transition, Medications, Brain Modifiability, Social Skills, Assistive Technology, Executive Function, Tips and Strategies for Teachers, Neuropsychological Evaluations, and much more.

### **RESNA: Fundamentals Course in Assistive Technology**

The Rehabilitation Engineering and Assistive Society of North America (RESNA) will be offering a “Fundamentals Course in Assistive Technology” on October 17-18 at the at 120 Holcomb Street in Hartford. The overall objective of the course is to provide a broad review of the various areas of assistive technology for professionals working in the AT field and to provide individuals who are interested in the field of AT with an overview. The course is designed for newcomers as well as experienced professionals looking to expand their perspective of AT. Continuing Education Units (1.4 CEU's) will be awarded. For further information about registration please contact the Fundamentals Course Coordinator at 703/524-6686 x306, or via email at [fundamentalscourse@resna.org](mailto:fundamentalscourse@resna.org).

NEAT will also host RESNA'S ATP/ATS Exam on Friday, **October 19**. To register for this exam, please visit RESNA at: <http://resna.org/NewCertPract/GettingCertificate.php>.

### **Making Choice Real: Transforming Long Term Systems of Support**

On Wednesday, October 24 from 9:00 am to 3:00 pm the University of New Hampshire will have a conference Center of New Hampshire, Radisson Hotel, Manchester, NH. The conference will highlight best practices in integrating person-centered supports across systems for persons who are aging. For more information contact: Susan Fox, 603-228-2084 or 800-238-2048, [swfox@unh.edu](mailto:swfox@unh.edu).

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