



## The Olmstead Decision: Ten Years Later

### *CA Budget Crisis Response Guts Spirit of Landmark Decision*

June 22 marks the 10<sup>th</sup> anniversary of a U.S. Supreme Court decision that was a key victory in the fight for people with disabilities to be able to live in community based versus institutional settings.



\* The state's treatment professionals have determined that community placement is appropriate.

\* The individual chooses community placement; and

\* the placement can be reasonably accommodated, taking into account the resources available to the state and the needs of others with disabilities.

Olmstead v. L.C. & E.W., now known as the Olmstead Decision, determined that the Americans with Disabilities Act (ADA) requires states to provide services *"in the most integrated setting, including community-based settings, appropriate to the needs of qualified individuals with disabilities."* It said that this should happen when the following conditions are met:

The Olmstead case involved two individuals.  
**See Olmstead continued on page 10**



## Community Choices Act Reintroduced in D.C.

Providing people with disabilities with the choice of living in their own homes versus an institutional setting: that's at the core of the Community Choice Act (CCA)--federal legislation that was reintroduced in Washington D.C. on March 24.

Tri-County Independent Living was one of 119 organizations around the

**See CCA continued on page 6**



## Humboldt Pie 2

**Fundraiser is Judged as Fun & Fulfilling for All! See page 8**

### Where *Few* Elected Officials Dare to Go.....

The March 27 announcement by the State Finance Director and Treasurer indicated that they have determined that not enough Federal stimulus funds will come to California to prevent numerous State budget cuts. Thus, on July 1 the State contribution to In-Home Support Service (IHSS) care provider wages will be cut to \$9.50 an hour and \$.60 an hour for benefits. Other cuts will also affect both IHSS providers and recipients.

Early in the year, the **IHSS Coalition** sent letters to the Governor and all our State Legislators, challenging them to spend just **two hours** with **just one representative of over a million of their constituents** who rely on home care services. This effort was called "**Take Our Dare--Show You Care.**" Only a handful of legislators have taken on this challenge and to-date, none of our local elected officials have done so. In fact, both Senators Sam Anestead and Senator Pat Wiggins noted that they were too busy with the State budget to do so.

These elected officials have made major budget decisions that directly affect one million Californians who are aged, blind and disabled as well as about 400,000 low-paid care providers without devoting even **two hours** to understanding the perspectives of those constituents.

The "**Take Our Dare--Show You Care,**" effort is continuing, particularly with Assembly Member Wes Chesbro. Be sure to contact your state elected officials to let them know your feelings about it.

## RespectAbility

**RespectAbility** is a publication of Tri-County Independent Living (TCIL) and is intended for all people with disabilities and their families. It provides news and information on disability issues and services provided by our Center.

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## TCIL Happenings



### *6th Respect for Abilities Day at Redwood Acres*

Tri-County Independent Living will hold its **6th Annual Respect for Abilities Day** from 10 a.m. to 2 p.m., Friday, July 24 in the Vickers (Home Ec.) Building at Redwood Acres in Eureka. This event is, once again, being held during that week in recognition of the anniversary of the signing of the **Americans with Disabilities Act** on July 26, 1990.

As always, this disability awareness and assistive technology fair will include displays and demos from A.T. equipment

providers, as well as local service providers and local government departments/agencies. The event is free and open to the public and will include a fundraising raffle, art displays, and more. We also hope to offer a few educational workshops at the TCIL offices during that week and have invited officials from Humboldt County to present an update on their progress with an agreement with the U.S. Department of Justice regarding ADA compliance. Be sure to check out the summer edition of *RespectAbility* for more details.

### *Eureka Accessibility Group Holds First Meeting*

The first meeting of a local advocacy group, tentatively to be known as the **Eureka Accessibility Advisory Group**, was held on Wednesday, March 25 at the TCIL offices. Four members of the Eureka community, in addition to two TCIL staff and a volunteer, attended to discuss the make-up and future direction of this group.

TCIL has advocated for the creation of an Accessibility Advisory Committee with the City of Eureka on several occasions in the past. The most recent were when Peter Lavalley was Mayor in 2006, but staff were told that “there are already too many committees” and offered a standing city council meeting agenda item instead. This was rejected.

In the initial meeting of the new group, attendees discussed their reasons for

getting involved with the group, what activities similar groups are pursuing in other cities around the country, the importance of presenting a united front and achieving some early successes with the group, and the goal of having a regular presence at future Eureka City Council meetings.

Other possible goals/projects discussed included dealing with inadequate parking in the City for people with disabilities, public transportation and sidewalk repair issues, and the need to educate the general public, as well as local media, on disability issues.

The next meeting of this group is scheduled (tentatively) for 2 p.m., Thursday, May 7 at the TCIL offices. Contact Cindy Calderon or Glenn Reed at 707-445-8404 for more information.

# Support for Support Groups

## *Community Health Alliance Starting Support Group Network*

Tri-County Independent Living and other area service agencies often receive calls from people who are interested in joining or starting support groups. Currently there is no comprehensive listing of such support groups in this area and no formalized training for starting or administering such groups. The Community Health Alliance of Humboldt-Del Norte (CHA) is hoping to address this need.

The CHA, with funding from the Robert Wood Johnson Foundation, is creating a group—tentatively to be called the Network for Support Groups—which is expected to meet on a quarterly basis. According to CHA Project Director, Laura McEwen, it will be a gathering of people interested in starting support groups as well as people in existing groups, and the focus will be on education and information exchange.

“It will not be a disease or condition-specific group,” notes McEwen, “but will focus on common issues, such as what makes a quality support group and how do you get a support group off the ground. Peer interconnections are vitally important in this area.” The gatherings will also help to create an active database of support groups in the area that other individuals or service groups will be able to access.

The first meeting of the “Network for

Support Groups” will be at a date to be determined in late May or early June. Contact the CHA at (707) 445-2806 for further information or watch for details in upcoming editions of TCIL’s *Able Voices* bulletin.

Another CHA offering is the free “Our Pathways to Health,” workshop. This is a six-week program for anyone living with a long-term health condition (from diabetes or high blood pressure to depression, fibromyalgia or arthritis), with the emphasis on learning better ways of coping and managing your health. Each workshop is 2.5 hours long on one day a week. To-date, sessions have been offered all around Humboldt County.

“These are geared towards improving self-management behaviors and avoiding spirals into helplessness and hopelessness,” notes CHA’s Betsy Stapleton. “The workshops are also not specific to one type of disability, socio-economic group, or educational level, and they’re offered in Spanish as well.”

“The workshops are very instructive and help participants find solutions together,” says past participant and current workshop facilitator, Nancy Ortiz. “You learn or relearn skills that can be used anywhere.”

**See CHA on next page**



## The AT Circuit

Do you have limited or no use of your hands for controlling your computer or augmentative communication device? Consider testing out the HeadMouse<sup>RO</sup> Extreme--now available from TCIL through our A.T. Loan Program.



This device replaces a standard computer mouse, but works just the same way, with the mouse pointer moved by the motion of the users head. It has a wireless, optical sensor which tracks a tiny disposable target that can be placed on the user's forehead, glasses or hat. Resolution is so good that the user can perform such precise tasks as drawing, gaming, graphics work and Computer Aided Design (CAD). The device easily connects through a USB port, with no special software required. Selections can be performed using a variety of adaptive switches, it can provide access to thousands of standard applications, and it allows reliable head-controlled access to devices that provide speech and environmental control.

Call TCIL about this or other devices available at (707) 445-8404 or (707) 445-8405 (TTY). We are also available to come to your school, business or agency to tell you more about this program.

### *Disability Capitol Action Day on 5/27*

The Disability Action Coalition will hold its Disability Capitol Action Day in Sacramento on Wednesday, May 27. The theme for 2009 is *"Celebrating Community & Pride: Honoring the 10 Year Anniversary of the Supreme Court Olmstead Decision."* The event will include a resource fair, educational rally, march and rally at the capitol, and legislative visits.

Transportation grant funds are available to individuals and organizations who would like to attend. These applications need to be submitted by May 15. For more information, contact Christina Mills at CFILC, 1-916-325-1690 x 314, 1-916-325-1695, or [christina@cfilc.org](mailto:christina@cfilc.org).

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"If you just want to know what to do specifically for your condition, this is not the goal of the Pathways workshops," points out McEwen. "It is a good place to learn how to deal with the emotions associated with a condition."

The CHA also offers training for workshop facilitators every six months or so. These are intensive, four-day, six hours per day sessions and participants are asked to commit to leading two, six-week workshops per year, with support from the CHA.

Call (707) 445-28806 for further information about "Our Pathways to Health" or on facilitator trainings.

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country that tuned in to a live teleconference of the reintroduction of this important legislation.

The CCA, recently assigned as S 683 (Senate bill), where Iowa Senator Tom Harkin remains the main sponsor, and HR 1670 (House of Representatives bill), where Rep. Danny K. Davis of Illinois is the sponsor, was first introduced as the Medicaid Community-Based Attendant Services and Support Act (MiCASSA) bill by Senator Harkin way back in 1992. This year he is more optimistic about the chances of the proposed legislation, that took on its more memorable name last year.

“We have a real friend in the White House who assures that he will support this bill and sign it into law,” said Harkin. “He wants it done this year. There will be no true health care reform if we leave people with disabilities behind,” added Harkin.

The CCA is all about reforming Title XIX of the Social Security Act (Medicaid) so that it ends the institutional bias that requires states receiving Medicaid to provide nursing home services, but which makes community based services optional. Only 33% of Medicaid dollars are allotted for **all** community based waivers, optional programs, and other community supports. The CCA is based on the “Money Follows the Person” concept, allowing people with disabilities and their families to choose where to receive needed services.

The CCA would offer those individu-

als eligible for nursing facility services or intermediate care facility services the ability to choose community-based attendant services and supports instead, with services to be provided in the most integrated setting appropriate to the needs of the individual. The bill also offers funding for transition costs for moving from long-term care facilities to a home setting, opportunities for enhanced match funding to states, quality assurance programs, and more.

“This legislation offers options for long-term care, allows individuals to make decisions for their own lives, and can help reduce the high cost of health care as part of health care reform,” noted Davis.

“This is the most important disability legislation of our time,” pointed out Dawn Russell, ADAPT Organizer in Denver, Colorado. ADAPT is a national, direct-action, advocacy organization for people with disabilities. “It needs to remain a priority with our reps and the disability community needs to work together for its passage.”

“We need the CCA now more than ever,” emphasizes Christina Mills of the California Foundation of Independent Living Centers. “If passed, it will cover the optional benefits that were lost in California due to the Medi-Cal cuts.”

It was noted at the teleconference that the CCA is likely to be bundled in with a bigger health care reform pack-

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age. It was also pointed out that the cost of the Act could be in the range of \$1.2 to 3.7 billion a year, according to Mitchell Plante of the University of California in San Francisco.

“States that have expanded their services to provide more in community care have experienced short-term increases in their costs, but a long-term decrease,” he added.

As of this date, the CCA has 16 Senate co-sponsors and 54 House co-sponsors. The only ones from California are Rep. Barbara Lee (9<sup>th</sup> District), Rep. Lois Capps (Dist. 23), Rep. Susan Davis (Dist. 53), and Rep. Loretta Sanchez (47<sup>th</sup> District). Last year the co-sponsors included many more California Reps as well as California Senator Barbara Boxer. It should also be noted that the nursing home industry is a major lobbyist in Washington, D.C.

Contact our elected DC officials to let them know how you feel about this legislation and if they have any idea how many people are waiting to get out of nursing homes and into the community!

## ***Contact Information for Your Federal Elected Officials***

### **Senator Dianne Feinstein**

Washington, D.C. Offices: U.S. Senate, 331 Hart Senate Office Building, Washington, D.C. 20510; Phone: (202) 224-3841; Fax: (202) 228-3954; TTY/TDD: (202) 224-2501; email: <http://www.feinstein.senate.gov/public/index.cfm?FuseAction=ContactUs.EmailMe>; San Francisco Office: One Post Street, Suite 2450, San Francisco, CA 94104; Phone: (415) 393-0707; Fax: (415) 393-0710.

### **Senator Barbara Boxer**

Washington, D.C. Office: 112 Hart Senate Office Building, Washington, D.C. 20510; Tel.: (202) 224-3553; Fax: (202) 224-0454; Email: <https://boxer.senate.gov/contact/email/policy.cfm> (for policy & legislation comments) & check the web site for other options; Sacramento Office: 501 I Street, Suite 7-600, Sacramento, CA 95814; Tel.: (916) 448-2787; Fax: (916) 448-2463; San Francisco Office: 1700 Montgomery Street, Suite 240, San Francisco, CA 94111; Tel.: (415) 403-0100; Fax: (202) 224-0454.

<http://www.congress.org/congressorg/webreturn/?url=http://www.house.gov/mthompson>

### **Congressman Mike Thompson**

Washington, D.C. Office: 231 Cannon Office Building, Washington, D.C. 20515; Tel.: (202) 225-3311; Fax: (202) 225-4335; Email: <http://www.congress.org/congressorg/webreturn/?url=http://www.house.gov/mthompson>

Humboldt District Office: 317 3<sup>rd</sup> Street, Suite 1, Eureka, CA 95501; Tel.: (707) 269-9595; Fax: (707) 269-9598.



**P**ies were a-plenty at TCIL's *Humboldt Pie II*, held on Saturday, March 7 at the Bayside Grange. Over 100 people attended to sample flakey crusts and scrumptious fillings, enjoy music by *Kara's Lusca*, bid on an array of silent auction items, offer their pie baking recipes up for judging, or gorge on chocolate cream pie in the pie eating contest.

The event raised about \$1,500.00 in support of TCIL's Residential Wheelchair Ramp Construction Program.

The top overall pie award in the baking contest went to **Shar Evans** of McKinleyville for her lemon meringue, while second place went to TCIL's own **Chris Jones** for a California walnut/orange pie. They also won the cream and nut categories, respectfully. The best pie in the fruit category—a pear pie—was baked by **Jessica D'Avanza** of Arcata. Second went to **Tim Gillentine** of McKinleyville for his "Berry Patch" green tomato/apple mincemeat pie, while in third was Arcata's **Ryan Roberts** for his Dutch apple pie. **Karen Abolsabo** of Arcata won second in the nut category for her pecan pie.



*The #1 Pie (after someone nabbed a slice).\**



*No hands allowed in the pie eating contest!*

In terms of pie consumption, Fortuna's **Jon Weltsch** downed his huge slice of chocolate cream to win the pie eating contest, which drew seven hardy contestants.

Many thanks go to *Humboldt Pie's* major sponsors, including **News Channel 3, KHUM, Marie Callender's, the North Coast Bakery, Baked in Humboldt at the Fernbridge Market, and Wildberries Marketplace.**

Supporting sponsors included the Humboldt Creamery, Cloney's Pharmacy and the Eureka Lion's Club. Also, thanks to **Kara's Lusca** for the great music, all of our volunteers, and the following, who provided silent auction items or gift certificates for the event: Arcata Exchange, Linda Arnold, Baroni Designs, Charlie Bean, Gary Bloomfield, Bubbles, Caravan of Dreams, Steve Coach, Desserts on Us, Dodd & Winters Optical, The Garden Gate, Humboldt Petroleum, Jitter Bean, Los Bagels, Many Hands Gallery, Natural Selection, Plaza Design, The Sea Grill, Patricia Sennott, and Rebecca Simone.

Be sure to polish off your pie baking or eating skills in preparation for *Humboldt Pie the Third*, in 2010!



*That's face paint being applied; not pie filling!\**



*Kara's Lusca provided great music.\**

*Humboldt Pie was all about pie & family fun.\**



*Mmmmmm!\**



*Participants in the popular pie walk for prizes (Above two photos).*



*A budding pie judge watches the pros.\**

*Serious pie & fun.\**



*Enjoying some mighty fine pie!\**



*\* Many thanks to Steve Coach for these great pictures!*

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viduals in Georgia who had developmental disabilities, one of whom was also diagnosed with schizophrenia. Both had been voluntarily admitted to a hospital psychiatric unit, but eventually, treatment professionals determined that they could be cared for appropriately in a community setting. Still, the women were kept hospitalized, which prompted L.C.'s suit against the State of Georgia—specifically the Commissioner of the Georgia Department of Human Resources. She was later joined in the suit by E.W. The case, after bouncing around in the District and Eleventh Circuit Courts, ended up in the Supreme Court—a main reason being the question of whether or not the additional cost for treatment of L.C. and E.W. in community-based care would be “unreasonable” given the limitations of the State’s mental health budget.

Budget limitations--sound familiar?

Though the Supreme Court decided 6-3 in favor of the plaintiffs, that question of a state’s budget and resources has seemingly continued to undermine the intent, or at the very least the spirit of, the Olmstead decision ever since. There’s no clearer instance of this than right here in California, where the very recent agreement for the State’s 2008-2009 budget initially slashed spending for social services, education, health and transportation. The State Finance Director and Treasurer announced further devastating cuts on March 28 after they made a determination that not enough Federal stimulus money would come into California to prevent such measures.

What do the cuts mean in terms of Olmstead? It appears that the State can claim that the third condition has not been met because “available resources” are so limited, even while it’s the State that is deciding NOT to make them available. And what are “reasonable” accommodations? This has remained as an unanswered question, as noted by one report back in 2004 out of George Washington University which said that Olmstead established legal obligations for states to remedy discriminatory practices through reasonable modifications of public programs, but which also asked: “*When do changes in Medicaid and other state programs amount to “fundamental alterations as opposed to reasonable modifications and thus lie beyond the power of the courts?”*

Claims that cuts need to be made to save the State money completely ignore any evidence that institutionalization of seniors and individuals with disabilities is more expensive in the long-term than appropriate community placement with support services. A 2006 report by the California Budget Project, for example, estimated the State’s monthly cost for an IHSS care recipient to be about \$300, as compared to \$1,800 for a skilled nursing facility or \$2,400 for an intermediate care facility. It’s almost as though the Supreme Court’s minority opinions from Olmstead are holding sway with California and other states. As S.C. Justice Clarence Thomas wrote, for the minority in the Olmstead case:

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*“Continued institutional treatment of persons who, though now deemed treatable in a community placement, must wait their turn for placement, does not establish that the denial of community placement occurred ‘by reason of’ their disability. Rather, it establishes no more than the fact that petitioners have limited resources.”*

A state could continue to slash funding for such programs as the one for California’s In-Home Support Service (IHSS) care providers, thus making it even more difficult to obtain such services and for seniors and people with disabilities to get back into a community setting. Those people would then languish on waiting lists due to (the lack of) “resources available.” The resulting increased costs will further strain the state budget, encouraging still more cuts in the future, and continuing this vicious cycle. As is too often the case, seniors and people with disabilities pay the price.

One of the Federal trigger cuts made by the State on March 28 was to reduce California’s share of IHSS worker wages to a maximum amount of \$9.50 an hour, while limiting benefit contributions to up to .60 an hour. Of course, the State says that counties can make up the difference if they so choose, but the recession has resulted in budget issues hitting every level of government throughout the country, so the chances of this happening appear dim. Thus, the cuts will potentially cut pay for IHSS workers in about **23 of California’s 58 counties** (most highly populous) at a

time when individual taxes are going up and recruitment and retention of IHSS workers was already a major issue.

“Our local care providers have never received a raise, unless it was a mandatory state minimum wage raise,” notes Cindy Calderon, Systems Change Advocate for TCIL. “By making it nearly impossible to retain caregivers, or even find one, people with disabilities and seniors are being forced into institutions daily. Humboldt County is one of only 11 counties in the state that pay IHSS care providers just minimum wage, which is a huge embarrassment.”

It can also be argued that cuts in other areas, including the permanent elimination of so-called “*optional benefits*,” will likely lead to more medical problems and emergencies, fewer options for preventative care, fewer medical facilities accepting Medi-Cal, and more individuals forced into long-term care facilities due to the diminished options. Amazingly, the State has defined the following as “optional” and “non-medical”: adult dental, acupuncture services, audiology and speech therapy services, chiropractic services, optometric and optician services, podiatric services, psychology services, incontinence creams and washes.

Take dental, for instance. According to several medical web sites, including WorldDental.org (by Dental Health Magazine), possible complications of an abscessed tooth include: loss of the tooth, spread of infection to soft tissue, spread of

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infection to the jaw bone, and spread of infection to other areas of the body resulting in brain abscess, endocarditis, pneumonia, or other complications. These certainly encompass life threatening medical conditions at this point. In fact, the site indicates: *“Tooth abscess can cause the death of the tooth and it can literally be the death of you.”*

And then there's podiatry, which has also been deemed *“optional”* by the State. Consider diabetes, feet and amputations.

A March 22, 2009 article in the *Los Angeles Times* noted that the U.S. rate of foot amputations from complications of diabetes has soared, approaching 100,000 annually. It also reports that the proportion of Americans with diabetes, which is now at 8%, is expected to double in a decade, particularly due to increases in obesity among young people. The article points out that patient vigilance and better preventative medical care could prevent 90% of diabetes-related amputations. It quoted Dr. David G. Armstrong, a podiatrist and Director of the Southern Arizona Limb Salvage Alliance, as saying that reducing such amputations could save the nation millions of dollars a year. Such savings would include those from rehabilitative services, much of which would be in longer term care facilities.

State cuts to podiatry coverage will certainly do nothing for prevention on this front!

There are many more examples, including that the cuts to psychology which will

affect access to psychotropic meds, and will result in increases in hospitalizations for people with mental illness at a time when community resources for support have been gutted. Etc., etc., etc.

The current Administration in Sacramento has hardly been friendly to the Olmstead spirit over the last six years. Way back in 2004, for instance, Governor Arnold Schwarzenegger vetoed SB 1365, which was sponsored by then-Senator Wes Chesbro. This measure was to establish an Olmstead Advisory Council to assist in the State's compliance with the Olmstead decision. The Governor claimed that enough stakeholders were already providing input on Olmstead. Instead, he issued a proclamation (Executive Order S-18-04), that established an Olmstead Advisory Committee within the California Health and Human Services Agency to *“...provide input to the HHSA on its efforts to evaluate, revise, implement, and monitor the Olmstead Plan, on recommended actions to improve California's long-term care system, and on opportunities to fund expanded or new activities to support individuals with disabilities in their community.”*

That Olmstead Advisory Committee's effectiveness has been limited by the fact that it is only an *advisory* group to the Administration. Christina Mills, the Systems Change Network Statewide Community Organizer for the California Foundation for Independent Living Centers and a member of that Committee, points out that it has not been able to have much

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effect on actual policies, that budget cuts will further limit its role, and that grants that the State does provide for people to transition from long-term care facilities to community based settings have too many restrictions.

“The Money Follows the Person state grant, for instance, requires that the person be in an institution for six months before they are eligible for the grant,” she points out. So, to get out of a nursing home one would need to enter one for six months first in this scenario!

The Governor has also proceeded to propose cuts to the IHSS Program in each and every year after this Executive Order was issued, not to mention opposing SSI cost-of-living increases and proposing cuts to other programs that help seniors and people with disabilities to live in the community. This year, the cuts have all gone through.

Mills notes the ways that these cuts hit people with disabilities on multiple fronts.

“Many people, to get out of institutions, need IHSS support in the community and it’s always been a challenge to find qualified workers. These cuts will make it even more difficult, since they are cutting wages for IHSS workers and making it more difficult, in some instances, for recipients to qualify for the help.”

She also notes that the SSI benefit cuts, following years with no SSI cost-of-living increases (COLAs), make it seem that

people will be punished for living in the community. Meanwhile, Medi-Cal cuts will force more people into hospital emergency rooms, if hospitals are even available, while transportation cuts or increased fares will affect the ability of those who live far from care to access that care..

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## *Court Decision Affects Regional Centers*

Interestingly, a settlement was reached last January 30 on a California case that has Olmstead implications.

The Superior Court in Alameda County determined, in ***Capital People First v. California Department of Developmental Services***, that all California residents with a developmental disability should have “*more information and choice about options for living in smaller homes in the community.*” The Court said that, subject to legislative approval, the DDS should provide additional funds to each Regional Center to assist them in training case workers in this area, that RC’s will provide more information to persons living in larger private facilities, that DDS will provide training to staff about community living options, and other many other requirements—many which may require more funding. Of course, in the most recent state budget cuts, Regional Centers took a 4% hit, so it’s not clear how this will be implemented. Perhaps they’ll use smoke and mirrors with their “available resources?”

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While the news from the State level, in terms of changes in the direction suggested by the Olmstead decision, remains dismal, there are more positive signs coming out of Washington, D.C. with a new Administration in office. For example, the Community Choices Act was recently re-introduced (see the article on page 1) and as President Obama was a co-sponsor of this legislation last year, when he was an Illinois Senator, he will likely sign it if it makes it through the U.S. Senate and House of Representatives. The bill would change Medicaid to allow those eligible for Nursing Facility Services or Intermediate Care Facility Services the opportunity to choose community-based attendant services and supports instead. It would also offer states financial assistance to reform their long term service and support system to provide

services in the most integrated setting, although it's not clear what that would mean specifically to California, if the CCA is passed.

With California's record of moving further away from the intent of the Olmstead decision, the outlook is certainly unclear .

"By slashing the IHSS program, our Governor and legislators are showing a blatant disregard for a Supreme Court decision," adds Calderon. "This June marks the 10th anniversary of Olmstead, yet California is no further along in its implementation plan than they were back in 1999," she concludes.

TCIL will hold a rally/march at the Humboldt County Courthouse at 11 a.m., Friday, June 5. The focus will be on disability/senior issues. Be sure to watch for more details!

### *Thank you for your generosity!*

#### **Donations Received Between January 28, 2009 & April 20, 2009**

**over \$1,000.00**--Welliver Construction; **\$500.00 to \$999.00**--St. Joseph Hospital; **\$250.00 to \$499.00**--Coast Central Credit Union; HealthSPORT; **\$100.00 to \$249.00**--Humboldt Assoc. of Realtors; Chris Martinek; North Coast Co-op; Thea Stewart; **\$50.00 to \$99.00**--Kayak Zak's; **\$25.00 to \$49.00**--Chapala Restaurant; Dell'Arte; Leslie Lollich; North Coast Repertory Theatre; W.N. Tetrault Co.; **0 to \$24.00**--Desserts on Us; Humboldt Petroleum, Inc.; Los Bagels; Ramone's; **Humboldt Pie Silent Auction Donated Items**--Arcata Exchange; Linda Arnold; Baroni Designs; Charlie Bean; Gary Bloomfield, Bloomfield Studios; Bubbles; Caravan of Dreams; Steve Coach; Dodd & Winters Optical Center; The Garden Gate; Many Hands Gallery; Natural Selection; Plaza Design; Patricia Sennott; Rebecca Simone; **In-Kind Donations**--Area 1 Agency on Aging; Sean Ennis; Barb Guerrero; Barb Kaplan; *Kara's Lusca*; Kroy Rubin

#### *Memorial Gifts*

*From:* Leslie Lollich *In Honor of:* Jim & Marion Lollich

**Our Invaluable Volunteers**--Tim Arbuckle, Patrick Cross, Lauren Fawcett, Jolie Harvey, Kendra Parker, Bill Turnbull, Rose Ward

## May 19, 2009 **Special Election** Ballot Propositions: A Summary

**Prop. 1A (State Finance)**—This measure would make major changes to the way in which the state sets aside money in one of its “rainy day” reserve accounts and how this money is spent. As a result, it could have significant impacts on the state’s future budgeting practices. The measure would tend to increase the amount of money set aside in the state’s rainy day account by increasing how much is put into this account and restricting the withdrawal of these funds. If this measure is approved, several tax increases passed as part of the Feb. 2009 budget package would be extended by one to two years. State tax revenues would increase by about \$16 billion from 2010-11 through 2012-13.

**Prop. 1B (Education Finance)**—Amends the state constitution as it relates to Proposition 98, providing “supplemental education” payments in place of recent “maintenance factor” payments. Also provides greater discretion to the Legislature and Governor regarding how the payments would be distributed.

**Prop. 1C (California State Lottery)**—The measure makes major changes to the 1984 voter initiative that created the California Lottery. The changes could increase lottery ticket sales and allow the state to borrow \$5 billion in the 2009-10 fiscal year from future lottery profits. In addition, the state also could borrow more from lottery profits in future years. Under the measure, lottery profits now dedicated to schools and colleges would be used to pay back the borrowing. The measure would increase state payments to education from the state General Fund to make up for the loss of these lottery payments.

**Prop. 1D (CA Children and Families Act Use of Funds)**—This would temporarily redirect a significant portion of Prop. 10 (First 5 program) funds to achieve budgetary savings and would make permanent changes to state and local First 5 commission operations.

**Prop. 1E (The Mental Health Services Act /Prop.63 Amendments)**—Prop. 63 provides state funding for certain new or expanded mental health programs through a personal income tax surcharge of 1 percent on the portion of a taxpayer’s taxable income in excess of \$1 million. This measure allows for the temporary redirection of some Proposition 63 funds specifically, \$226.7 million in 2009-10, and between \$226.7 million and \$234 million in 2010-11. These Proposition 63 revenues would be used to offset state costs that would otherwise be borne by the General Fund, thereby achieving savings to help address the state’s current budgetary problem.

**Prop. 1F (State Officer Salary Increases)**—This proposition amends the Constitution to prevent the California Citizens Compensation Commission from approving increases in the annual salary of elected state officials in certain cases when the state General Fund is expected to end the year with a deficit.

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