



NEW WORLD

For Persons with disAbilities

March 2014

Californians for Disability Rights, Inc.

L.A. Expo

NEWS OF MANAGED HEALTH CARE SHENANIGANS

By Susan Chandler

Dept. of Health Care Services (DHCS) is on a push to put almost 400,000 Californians who are MediCare-MediCal (Cal Duals) into managed healthcare plans in seven counties: Los Angeles, San Diego, San Mateo, Alameda, Riverside, San Bernardino, and Santa Clara. This is happening fast and DHCS are sending notices in **BLUE ENVELOPES** soon and want a quick answer or **SENIORS AND PEOPLE WITH DISABILITIES** will be **PASSIVELY ENROLLED INTO MANAGED CARE WITH NO--AS YET DEMONSTRATED--CLEAR WAY TO OPT OUT OF MANAGED CARE!**

Unfortunately, IHSS rules state that workers cannot help people with their mail! HUH? How are people who are blind going to know that they have a very important notice that they have to respond to? So if friends, workers, neighbors, and relatives can be alert and look out for their blind friends, neighbors, and relatives and let them know they have **THE BLUE ENVELOPE THEY NEED TO GET IT READ TO THEM**, we hope that they will be spared a lot of grief and **NOT** be **PASSIVELY ENROLLED** into a managed health care plan that won't fit their needs.

The LA County Medical Association & the LA County Podiatric Association have stated concerns about the fast rollout of the LA Cal Medi Connect plan and the lack of clear information on opting out.

Nancy Becker Kennedy and I have been working on how to "Opt out" of the Medicare part of this managed care. Other issues we have been fighting for quite a while are new federal overtime rules and, in CA, an SEIU proposed 75 hour mandatory worker training--it has been very frustrating. For more info go to IHSS Consumers Union on Facebook or www.calduals.org/background/ca_duals_demo.

RENEW YOUR MEMBERSHIP TODAY!!!

If you are past due and have not already done so, please remember to renew your membership with CDR.

Renewals are encouraged to be made online at: www.disabilityrights-cdr.org/memberform_elec.html

*Payments can be made via PayPal or mail

PRESIDENT'S REPORT

In April 1977 over 100 people with disabilities, and their supporters, occupied the SF offices of the Federal Department of Health, Education and Welfare for 26 days! The demonstration resulted in the signing of the first disability civil rights law anywhere: the regulations implementing Section 504 of the 1973 Rehabilitation Act. Those regulations became the model for the ADA of 1990.

Ed Roberts, the first disability rights activist, gave a great speech back in 1977, which reminded me that it takes a lot of us to achieve goals and it takes determination not to give up. For Ed Roberts' speech on April 30, 1977, and more details about the 504 protest, go to: <http://www.dredf.org/504site/504home>.

As I review the past year and all the changes that have happened, I am reminded that change is one of the only constants in our lives. CDR has certainly changed! We are no longer a young vibrant group excited about making access changes in the built environment! What is there left to do? Where is the energy? Can't we just give up fighting? Do we want to lose our Civil Rights? **NO!**

After centuries of discrimination against people with disabilities, there is still an attitude against them. So, it is no wonder that businesses are urging legislators to propose new laws to weaken the existing laws that past disability advocates fought so hard to enact. Many younger disabled people are unaware of the hard work that these advocates did.

I just thought of something - the League of Women Voters is a wonderful way for the disability community to have an effect on civic life! The LWV's mission is to educate voters about civic issues. Their (local, state or national) chapters have positions on various civic and social policy issues, including education, employment, immigration housing, transportation, equal rights, health care, and housing. However, they don't have a focus on disability issues. So, I urge people with disabilities who are interested in the workings of civic life to get involved with the LWV and work with them to help implement change.

I have used a wheelchair for almost 33 years and I usually have 5 main access issues: no adequate parking spaces; threshold difficult to get over; bathroom mirrors are too high (they should be 40" from the

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NEW WORLD

L.A. Expo Edition

CDR, Inc.

(Californians for Disability Rights)

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New World

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CDR's Mission - To Improve the Quality of Life for All Persons with any Disability Through Education and Training - By Working to Remove Barriers Through Advocacy and Change in Public Policy.

Originally organized in 1970 as CAPH (the California Association of the Physically Handicapped) --with five members, CDR has grown to become an effective and widely respected cross-disability advocacy force.

The CFILC Disability Organizing Network is a statewide disability advocacy network of 28 Independent Living Centers and the communities they serve. In each center there is a full time staff person devoted to increasing civic participation through community organizing, education and advocacy around issues that affect the Disability Communities.

Recently, the DO Network held a Leadership Academy in the Southern California region. It was a 7-week session held by teleconference from Sacramento to two local ILC's. The course was to prepare attendees to be able to participate in councils, boards, etc. Topics included were the History of the Disability Movement, Telling Your Story, How Boards Run, Board Procedures, etc. This course was a great opportunity for those who want to get on boards and councils in their community. It was also encouraged that those with disabilities seek positions on boards that are not disability related, in order to bring the disability perspective to a board that might not consider such.

The DO Network also heads the annual Access Now Summits held in three major regions of California. This year's Summit in the Southern California region is being held on Saturday March 9th from 10:00 a.m. to 4:00 p.m. at the CalOptima PACE Center, 13300 Garden Grove Blvd, Garden Grove, across from the Dayle Macintosh Center in Orange County. Register online at <https://disabilityorganizing.net/event/power-summit.php> or call (916) 325-1690.

PRESIDENT'S REPORT (Cont.)

floor); doors are too heavy to open (interior 5#, exterior 8#); and aisles are too narrow (should be at least 36"). I point these issues out to businesses and ask them to make changes, but when I go back, they are usually not done.

They just don't get it. These issues are all addressed in the building code. We must remember that we are trying to change centuries of discrimination and hatred of people with disabilities where many, if they survived at all, were kept hidden and not even allowed out of their homes! So, the concept of equality and civil rights for people with disabilities is a pretty new phenomenon. Many seniors who, just by aging become disabled, refuse to say they are disabled, they say "Oh, I'm just old!"

We are all tired of asking business owners to "please" fix the door pressure, fix the threshold, add a parking spot, or fix the bathroom only to be ignored time and time again. The law allows us to sue for access as our only way to get compliance. Businesses say "sue me" yet when they get sued, they scream "bloody murder" and sometimes nothing gets changed--it's a catch 22.

Now, the CDR Foundation has a way to help make small changes and raise some money too. CDR was contacted by SafePath Products of Chico--they make recycled rubber and composite threshold ramps. They have offered us the opportunity to sell their products at full price to businesses and to friends immigration and family at a discount or full price and then CDRF can keep the profit! I will be acting as their representative so if you want to buy or sell a ramp, go to their website www.SafePathProducts.com and read about how and what to order and then contact me at barnonhill@gmail.com or call me at 805 528-4695.

**BE DILIGENT, BE VIGILANT, BE AWARE, BE
VOCAL--NOTHING ABOUT US WITHOUT US! OR
THE MONETIZATION OF DISABLED PARKING**

**By Ruthee Goldkorn, with help from
Rocky Burks & Jonathan Lyons**

The political "hot potato" of on-street disabled parking has taken a nasty turn in some of California's major cities. The good news is that disability rights still has friends in the legislature. The bad news is that we have no friends in cities who find themselves in a financial pinch for Redevelopment and General Funds because the Governor eliminated the official Redevelopment Agency designations and all of the associated money--Lots, and lots, and lots of money.

Since 2011 Sacramento has been quietly, almost clandestinely, working on new policies for parking restrictions that directly and very adversely impact drivers with disability placard/plates. Parking placards have always been attractive to able bodied drivers which makes the system ripe for abuse.

As Catherine Campisi said, "The problems with having to reach the meter and returning to the car to refresh it are the reasons the law provides for time unlimited parking for DP placard/plate holders. If this is changed without making the system workable for persons with significant disabilities, who can drive due to the range of assistive technology available, it will create a major hardship for the very people who need DP parking...I park on the street because I can't reach the ticket machine in parking garages!"

The initial purpose for these new policies for parking restrictions was "parking monetization" (like Chicago did—turning parking into a money making proposition) but in the Sacramento City Council meeting minutes of August 9, 2012 we see those words changed back to "parking modernization"!

San Francisco is seen as a more politically liberal city and the sexy "placard fraud" and "parking abuses" were seen as more appealing in that city. So Sacramento tossed the "hot potato" of on-street disabled parking to the San Francisco Municipal Transportation Agency (SFMTA). Now the largest cities in California such as San Jose, Los Angeles, and San Diego are also interested in the idea.

What is Sacramento's motive and desperate need for millions of dollars? They need to build a new arena for the NBA Sacramento Kings. The arena was going to be tied to a billion dollar redevelopment deal but with that concept nixed by the Governor, what else could they do? Go after the disabled of course! Los Angeles as well as several other large CA cities have to build an NFL stadium.

Interestingly, "parking monetization" was never mentioned by the SF Mayor's Office On Disability or

in the meetings of the SF Municipal Transportation Agency but restricting our rights under the current California Vehicle Code was! (See the SFMTA & a video at: <http://www.sfmta.com/news/project-updates/sfmta-board-supports-policy-recommendations-improve-parking-access-people>).

The SFMTA recommendations were brought to the January 2014, meeting of the California Commission on Disability Access (created under SB 1608, Senator Corbett in 2008) and although it met with a frosty response by Senator Leland Yee and Assembly Member Tom Ammiano's representatives the SFMTA was very aggressive in its presentation. While the SFMTA recommendations have not been formally seen nor approved by the SF Board of Supervisors, we are in serious trouble. We are worried because the current SF City Treasurer is now the President of the League of California Cities and with that group's hard core push to increase revenue for local cities they will be a formidable force to deal with.

Additionally, we are sure the local SF ILC approves of the SFMTA policy shift. It also seems that some of the disability community members on SFMTA are not drivers. Subsequently, the mayors of the 10 largest California cities would probably move to develop parking policies that might eliminate our right to park as long as we need to and require us to pay at meters with no regard to the consequences or realities of on-street parking for people with disabilities.

Keep in mind, SFMTA, Sacramento, Los Angeles, San Diego, San Jose, and other cities are legislator shopping to find ways to amend or revoke the current vehicle code sections that allow these parking rights.

Many California jurisdictions continue ignoring the obligations under the federal court case known as *Barden v. Sacramento*, CA Government Code 4450 which also requires all facilities, programs and services provided to the public and paid for with public money to be accessible to and usable by persons with disabilities, as well as all ADA regulatory and statutory requirements for government entities, that streets and sidewalks be accessible. CalTrans developed the design of an accessible on street parking space to assist local jurisdictions in achieving compliance with on-street parking several years ago but it has largely been ignored.

The CDR Legislative Committee is working in partnership with the California Democratic Party Disabilities Caucus and has secured the basic language of a bill authored by our friend Assembly Member Roger Hernandez (D-Los Angeles) to strengthen the vehicle code sections, weaken any opportunities for cities to amend or eliminate those vehicle code sections, and strengthen the existing

laws of placard/plate issuance. We all agree that there are some abuses occurring just not the 50% they claim. Assembly Member Jose Medina (D-Riverside) is going to work with Assembly Member Hernandez and has asked Senator Jim Beal (D-San Jose) to ask for a very limited audit of DMV to collect the hard data they are required to have on: 1) how many placard applications were submitted; 2) the veracity of the applications; 3) how they determine this; 4) determine how many placards/plates have been distributed; and 5) analyze if there is a higher than expected number from a specific region or a specific type of practitioner or a specific type of disability represented in the requests.

The disability rights community is working together and taking a strong offensive position with legislation for our protection that addresses the known violations of the law as it is currently written. We are seeking out our friends in the state Capitol and in the community and pushing hard to get to the finish line ahead of the SFMTA and greedy local jurisdictions at the expense of the disability community. We have a very good start and **we want everyone to let their legislators know we need their support to keep our rights to park our vehicles under current California policy.**

Without this public policy it means our rights to jobs, education, housing, health care, and, of course, to be consumers will be seriously impeded.

CDR FOUNDATION REPORT

By Shira Leeder, Foundation Chair

Hello Everyone! We had a good experience at the San Jose Expo. We collected over \$59 in donations and about 40 names of people who were interested in CDR and CDRF. It was lots of fun to meet current CDR members and talk to those who might join.

This next year, we are hoping to grow our board to recruit more diverse people who know how to fundraise and write grants. Our goal is to raise \$2000, so we can feel confident to pay for the New World with ease and give out the \$500 scholarship without hesitation.

At our last meeting, the board voted to give out the \$500 scholarship later this year in October 2014. Again we are hopeful that we can successfully make our goal of \$2000 by October.

The Foundation board would like to say thank you to our past Treasurer, David Juare, for all his hard work for the Foundation. We are very appreciative of David, and we wish him all the best. The Foundation welcomes Steven Evans as our new treasurer. The Foundation looks forward to working together with him.

The Foundation also looks forward to a successful Abilities Expo in Los Angeles at the end of the month. Please visit our booth, as we are always looking for new members to join the Foundation.



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**For campaign details, contact:
Susan Chandler at 805-528-4695
Or barnonhill@aol.com
Or Shira Leeder, CDRF Chair, at
Shira@leeder.com**



**For product details, go to:
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**In partnership with SafePathProducts, Inc.,
a portion of the ramp sales from this campaign are going to
CDR'S "NEW WORLD" PUBLICATION
& LAURA WILLIAMS MEMORIAL SCHOLARSHIP FUND**

ABILITIES EXPO REPORT

by Susan Chandler

CDR & CDR Foundation had a very successful booth at the LA event this weekend! We talked to many people and gave out lots of information and 3 petitions: 1) against the unions proposed 75 hour Training, 2) asking the Governor to ask the DOL to suspend the new Overtime regulations for IHSS workers, and 3) and to CMS (fed) & DMHC to suspend implementing the push of Cal Duals into managed health care plans until all the systems are in place.

Here is the text of each one and where to go to MAKE A DIFFERENCE FOR SENIORS AND PEOPLE WITH DISABILITIES!

REJECT THE SEIU-UHW BALLOT INITIATIVE REQUIRING 75 HOURS OF TRAINING FOR HOMECARE WORKERS

by John Wilkins, Fresno, CA

As a person with a lifelong severe disability, I know first-hand the value of California's progressive, consumer-driven homecare program (known as In-Home Supportive Services or IHSS). This program was created in the early 1970s to reduce expensive institutionalization for seniors and the disabled. Aside from being cost-effective, this program has an ever greater benefit of allowing consumers to live independently with dignity as contributing members of their communities, and be more integrated with their families.

The independence and quality-of-life provided by our homecare workers is invaluable. This was my motivation as a consumer-advocate for joining forces with SEIU in 1992 to fight for better wages and benefits for our care providers, as well as program enhancements that included training such as CPR.

Training for care providers is already available through local county services called public authorities. But the state's 360,000 consumers (the majority of them cared for by at least one family member) are often best served by providing most training themselves or with family members. Each individual is unique, and generic training has been roundly rejected by consumers and advocates alike. Go to: <https://www.change.org/petitions/registered-california-voters-reject-the-seiu-uhw-ballot-initiative-requiring-75-hours-of-training-for-homecare-workers>

DOL OVERTIME RULE SUSPENSION

TELL GOVERNOR BROWN -
<http://gov.ca.gov/home.php> and the CA LEGISLA-

TURE www.legislature.ca.gov/ that they need to pressure the Department of Labor to suspend the new OVERTIME RULES until they have met with Health and Human Services to carve out an exception for Medicaid & Government funded programs--capping IHSS worker hours is not an option!

CAPPING WORKER HOURS WILL: Violate Civil Rights *Destroy Lives & Families! *Cause Institutionalization of Children & Parents *Cut Family & Worker Income *Cost The Government 4-5 Times What IHSS Costs *May Cause Homelessness!

Limiting hours will be the end of single-parent providers caring for their children and will almost cut in half the income of single-parent providers of severely disabled children! Limiting worker hours will destroy the family income of single adult children who care for their parents at home!

Limiting worker's hours could result in the institutionalization of children, spouses, and parents. Long time live-in providers of people with significant disabilities will lose their housing as well as their income! IHSS is 4-5 times cheaper than the cost of institutionalization! This violates peoples' civil rights under Olmstead and is not an option!

SUSPEND IMPLEMENTATION OF COORDINATED CARE INITIATIVE (CCI) UNTIL ALL THE SYSTEMS ARE READY

CMS (Centers for Medicare & Medicaid Services),
TOBY DOUGLAS, Dir. of Dept. of Health Care Services

THE MANY PROBLEMS INCLUDE:

- Many required notices have not been finalized
- Finalized notices are inadequate and confusing
- Notices have not been translated nor available in alternative formats
- Notices have not been tested with beneficiaries and are not written at a sixth grade level
- Notices are being sent to people who should not receive them
- Medicare notices related to Cal MediConnect have not been revised to be California specific
- Health Care Options is not ready
- Plan websites do not have required materials posted
- The HICAPs have not yet received their funding
- The L.A. enrollment strategy is not yet finalized
- Federal authority for components of the CCI has yet to be provided

www.dhcs.ca.gov/ look for Toby Douglas, the Director to send him a message



Californians for Disability Rights, Inc.

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Long Beach, CA 90802

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mail to: Kathleen Barajas
1410 Simmons Avenue
Los Angeles, CA 90022-4221

Dedicated to Helping People with Disabilities Keep their Civil Rights!"

**If you would like this electronically in MS Word or PDF format,
please contact Kathleen Barajas at kdbarajas@aol.com**

CDR MEMBERSHIP APPLICATION		
FIRST NAME, MIDDLE INITIAL, LAST NAME		[] New or [] Renewal
STREET ADDRESS, APT. #		
CITY	STATE	ZIP
TELEPHONE (Home/Fax)	E-MAIL ADDRESS (print carefully)	DATE
MEMBERSHIP FEES: <input type="checkbox"/> Regular - \$25.00 <input type="checkbox"/> Student/Low Income - \$10.00 <input type="checkbox"/> Family (2 people) - \$40.00 <input type="checkbox"/> Lifetime - \$200.00		AMOUNT ENCLOSED
[] Please put me on the CDR Members Exchange via Yahoo Groups (must supply e-mail address)		
INSTRUCTIONS: Check the web site for more membership info: www.disabilityrights-cdr.org where you can renew on the website and pay with "Pay Pal", or you can: Print out this form, complete all entries, and mail it with a check for amount due, payable to: CDR, INC., C/O Kathleen Barajas, 1410 Simmons Avenue, Los Angeles, CA 90022		