

**Nothing More,  
Nothing Less  
For All People  
With Disabilities**

**Access to Independence of Cortland County, Inc.**

# ACCESS NEWS

**Winter 2010 NUMBER XXIII**

## Access to Independence Delegation Advocates for Sensible Disability Policy

On February 1, an Access to Independence (ATI) delegation joined more than 300 other disability advocates from across the state in Albany, NY, to educate state leaders on pressing disability issues.

In addition to rallying in the Well of the Legislative Office Building, the ATI delegation met with Sen. Jim Seward, Assem. Barbara Lifton, Assem. Brian Kolb, and Assem. Gary Finch, all representatives of Cortland County residents. The group focused much of its advocacy efforts on the state's current budget negotiations and various public policy issues that directly impact the lives of people with disabilities.

Chad W. Underwood, Chief Operating Officer, commented that "as NY strives to cope with historic budget shortfalls, legislators should

focus more attention on the substantial cost savings that could be realized by shifting State funding from institutional and other segregated settings to fully integrated community services and supports."

"Independent Living Centers (ILCs), such as Access to Independence, are at the center of the solution to ensuring that people with disabilities are served in the most integrated and cost effective settings," said Underwood.

Since 2001, ILCs have conservatively saved NY taxpayers more than \$9 in institutionalization costs for every state dollar invested in their programs, for a net savings of more than \$110 million each year.

Mary E. Ewing, Executive Director, advocated against several

initiatives that are in the most recent 2010-2011 Executive Budget proposal. Ewing said, "ATI opposes any proposal that would cap personal care services at 12 hours a day." She said, "if implemented, this would force thousands of New Yorkers with disabilities into different service systems that would limit their control over their own services, and even force some into unwanted institutionalization."

The existing Consumer Directed Personal Assistance Program (CDPAP) is a much more cost effective program and it promotes the civil rights of people with disabilities by allowing them to manage their own care.

The ATI delegation also raised a number of public policy issues relating to housing. Rob Ferri, Architectural Barrier Programs Coordinator, noted that "the availability of accessible, affordable and integrated housing opportunities for people with disabilities and the aging population had reached a critical mass."

Ferri said, "Individuals are being forced out of their homes and into nursing facilities and they are altogether losing their ability to participate fully in community activities."

ATI's delegation included: Gail Bundy (Board Member), Mary E. Ewing (Executive Director), Chad W. Underwood (Chief Operating Officer), Kim Christie (Receptionist), and Rob Ferri (Architectural Barrier Program Coordinator).



**Above (left to right):** Gail Bundy, Mary E. Ewing, Chad W. Underwood, Kim Christie, Sen. James Seward, and Rob Ferri met in Albany, NY on February 1, 2010, to discuss pressing disability budget and policy issues.

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## NYAIL Announces 2010 Disability Public Policy Priority Agenda

The New York Association on Independent Living (NYAIL) has announced its 2010 Public Policy and Budget Priorities. These are priority policy and budget areas that ATI will dedicate its efforts on throughout the year. For more information on any of the priorities and their related pending legislation, please contact Chad W. Underwood by email at: [cwunderwood@aticortland.org](mailto:cwunderwood@aticortland.org), or by phone at: 607-753-7363.

### **HOUSING**

- Incorporate the housing provisions of Section 504 of the Rehabilitation Act into state law. *A.9757 (Bing)*
- Establish standards for “visitability” in State law to require all newly constructed single-family houses, townhouses and ground-floor units of duplexes and triplexes built with public funds to be made accessible. *A.9409 (Millman) and S. 1499 (DeFrancisco)*
- Make discrimination by landlords based on a tenant’s source of income illegal under State Human Rights Law.

### **CIVIL RIGHTS**

- Incorporate Title II of ADA into NYS Human Rights Law. *A.781-B (Paulin) and S.5396 (Huntley)*
- Waive the State’s sovereign immunity to claims under the ADA and Section 504. *A.3651 (Lifton) and S.2833 (Krueger)*

### **ELECTION REFORM**

- Eliminate provisions in Section 4-104 (1-a) of the NYS Election Law allowing waiver of polling place accessibility requirements. Require polling places to comply with ADA accessibility guidelines and ensure access surveys are conducted at all polling places. Require election workers to receive mandatory training in disability etiquette and use of Ballot Marking Devices (BMD). *A.584 (Cabill) and S.1058 (Addabbo)*

### **MENTAL HEALTH**

- Amend state Social Services Law Section 384-b to eliminate subdivisions (4)(c) and (6)(a-e), which permit termination of parental rights on the basis of mental illness or mental retardation. *A.6668 (Rivera) and S.2835 (Huntley)*

### **TRANSPORTATION**

- Require transportation service providers, such as taxis, limousines and shuttle services, to purchase accessible vehicles or otherwise ensure that they have the capacity to serve people with disabilities. *A.5549 (Titus)*
- Cap fares for paratransit transportation at levels no higher than the base fares for transportation of non-disabled adults utilizing the transit system. *(A.6489 (Kellner) and S.2933 (Duane)*

## **New Resource for Health Advocates**

The Empire Justice Center, The Legal Aid Society, and Selfhelp Community Services are excited to announce the launching of a new website called New York Health Access. The website was designed for New York State health advocates, caregivers, and consumers. The website provides articles, guides and training materials on access to health care services and health insurance programs for low-income New Yorkers.



As the economy continues to struggle, the website will be a valuable resource for information about alternatives for New Yorkers who lose health benefits or who are no longer able to afford them. Postings include :

- information on eligibility, enrollment, retention and navigation of New York State’s public health insurance programs – Medicaid, Family Health Plus and Child Health Plus
- information on programs targeted to senior citizens and individuals with disabilities who need assistance accessing Medicaid benefits or paying for and supplementing Medicare benefits; and
- information and resources for uninsured, underinsured and other individuals facing medical debt.

New York Health Access is a statewide collaboration made possible in part by grants from the New York State Office for the Aging and the New York Community Trust. The website is hosted by the Western New York Law Center and can be found at: <http://nyhealthaccess.org>

## No COLA Increases for 2010

By now, most people who receive Social Security benefits have realized that there was no cost of living increase for 2010. But what some people may not realize is that your Medicare Part B premium will not increase this year if you qualified for Medicare and were paying the regular premium before the end of 2009.

This “hold harmless” (no premium increase) provision covers people receiving either SSDI or Retirement benefits. Anyone who is receiving extra help from Medicaid to pay their Part B premium will not be affected either.

This rule does not apply to people with higher incomes who already pay a higher premium or people who will be qualifying for Medicare benefits in 2010.

If you are unsure of whether or not you are responsible for a higher premium, check the yearly statement you received from the Social Security Administration. This statement will tell you how much your premium will be for 2010.

If you have trouble reading your yearly Social Security statement, or if you have any other questions, contact Sue Lewis at 607-753-7363 for assistance.

### Having a hard time paying your heating bills? Find out if you qualify for HEAP assistance!

HEAP (Home Energy Assistance Program) is a federally funded program that may help you with a one-time payment to your fuel provider.

HEAP is available to households that meet the income requirements for both homeowners and renters.

The gross monthly income guidelines for the 2009-2010 HEAP season are: \$2,030 for a single person household and \$2,657 for a two person household.

Please contact your local DSS office to find out if you qualify and to fill out an application.

For more information, please contact Sue Lewis at 607-753-7363.

## 2010 CACTC Youth Conference

(Open to youth in grades 9 - 12)

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## 2010 Medicare Law Changes

In January, “extra help” became more available for lower income beneficiaries of Social Security Retirement and Social Security Disability Insurance (SSDI).

To qualify for “extra help”, people must meet certain resource and income limits. The new Medicare law eases those requirements in two ways. First, it eliminates the cash value of life insurance from counting as a resource. Second, it eliminates the assistance people receive from others to pay for household expenses, such as food, rent, mortgage or utilities, from counting as income.

Another change in the law relates to the application process. The application for “extra help” can now start the application process for Medicare Savings programs – state programs that provide help with other Medicare costs. These programs help pay Medicare Part B (medical insurance) premiums. For some people, the Medicare Savings Programs also pay Medicare Part A (hospital insurance) premiums, if any, and part A and B deductibles and co-payments.

For more information on the “extra help” program, visit the following website: [www.socialsecurity.gov/extrahelp](http://www.socialsecurity.gov/extrahelp), or contact Sue Lewis at 607-753-7363.



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## SSI vs. SSDI

It's complicated enough that Social Security operates two entirely separate disability benefit plans, and their initials being only one letter apart practically guarantees confusion. Yet one letter can be very important as there is a world of difference between the two plans. The two plans are SSI (Supplemental Security Income) and SSDI (Social Security Disability Insurance).

SSI is a "needs-based" benefit. In addition to providing benefits to persons of any age who have a disability, including children, it also pays monthly benefits to people over age 65 whether or not they are disabled. The key to SSI benefits is "financial need."

You probably receive SSI disability benefits if you have never worked or if your work record is very short. SSI payments will not exceed \$761 a month in 2010 for a single person.

SSDI was established so that workers who become disabled and unable to work to their normal retirement age will be able to access their Social Security retirement benefit early.

You probably receive SSDI if you have an extended work record. If you have worked enough quarters and paid your FICA taxes, you are entitled to SSDI based on your earnings. An SSDI check can be much more than \$761 per month, depending on how much you earned while working.

If you have worked enough to qualify for SSDI benefits but your benefit is for less than \$761 per month, you may be entitled to SSI benefits to make up the difference.

For more information on SSI, SSDI or any other disability benefit program, please contact Sue Lewis at 607-753-7363.

## What are Medicaid Waivers?

Medicaid Waivers are programs that make available a variety of medical and non-medical support services to help targeted groups of people achieve functional community independence. Services are delivered according to plans crafted to meet each individual's needs.

These programs are called "waivers" because the Federal Government gives states permission to use Medicaid funds to pay for services that Medicaid does not usually pay for, often in response to gaps in services in some states.

The following are the most commonly-used Medicaid Waivers developed in New York State:

[Traumatic Brain Injury \(TBI\) Waiver](#) - This waiver allows persons with traumatic brain injury (TBI), aged 18-64 and who require nursing facility level of care, to remain living at home and in the community. Services may include: individualized care coordination, skills building, respite, family support, intensive in-home services, and crisis response.

[Long Term Home Health Care \(LTHHC\) Waiver Program](#) - This waiver is available to persons who are eligible for a nursing home-level of care that would rather receive services at home. Services may include: case management, home delivered or congregate meals, housing improvements, respiratory therapy, medical social services and respite care.

[Home and Community-Based Services Waiver \(OMRDD\)](#) - This waiver allows persons with developmental disabilities who are eligible for group home or nursing facility level of care to remain living in their own homes in the community. Services may include: residential and day habilitation, prevocational services, supported work services, and residential respite.

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[Care At Home For Physically Disabled Children Waiver](#) - This waiver provides in-home services so that families can bring children with physical disabilities home from the hospital or nursing home. Services may include: case management, home adaptation and respite.

[Nursing Home Transition and Diversion \(NHTD\) Waiver](#) - This waiver is designed to help persons living in nursing homes to return home, and to help people eligible for a nursing home-level of care to avoid having to leave their homes. Services may include: service coordination, community integration counseling, independent living skills training, purchase of start-up supplies and equipment, home accessibility modifications, moving assistance, peer mentoring, respite, and home care services.

ATI provides a variety of services through the TBI and NHTD Medicaid Waiver programs. For more information, contact Mary E. Ewing or Sharon Radley by telephone at: 607-753-7363.

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## IEP Diploma Could be on its Way Out

*From the NYS Legislative Gazette - December 14, 2009* - Students and educators are being assured the state Board of Regents is making progress in discussions that could lead to the creation of an alternative to the Individual Educational Program (IEP) diplomas.

"The Board of Regents, which sets education policy here in New York, is deeply engaged in discussing possible changes to graduation requirements/diplomas issued, including IEP diplomas," said Johnathan Burman, a spokesperson for the Board of Regents.

Burman stressed that no final decisions have been made. But Assemblyman Joel M. Miller, R-Poughkeepsie, who was recently appointed ranking member of the Assembly Higher Education Committee, applauded the Regents for their recent efforts.

"I think there is a need for a new type of diploma that clearly spells out where a student might fit, especially if a student is capable of going on for further education. I also like the Regents' approach that we need more vocational training and probably more vocational diplomas," Miller said. He said the state needs a diploma that clearly spells out to an employer or institution of learning what a given student's capabilities are, "and the IEP diploma does not do that. So it's time to get rid of it."

The IEP diploma is given to students who are 21 years old or who have completed at least 12 years of school. Teachers develop a comprehensive plan designed for individual students with educational requirements they must meet to qualify for the IEP diploma.

According to Miller, the decision to place a student into an IEP is often made early in a student's

education. He said the stigma put on IEP students who are at-risk is particularly hard, and they often drop out of high school and choose to get a General Educational Diploma (GED) later on.

A May 2009 report by the state Education Department's Office of Vocational and Educational Services for Individuals with Disabilities (VESID) outlines some of the concerns that have been raised about IEP diplomas, including:

- A higher-than-expected percentage of youth with disabilities exiting school with an IEP diploma.
- Decisions to place students on a track toward an IEP diploma are often made earlier than necessary in a student's educational career, which often results in lowered expectations for that student.
- Students, parents and teachers are not aware that an IEP diploma is not considered a regular high school diploma.
- IEP diplomas often limit post-secondary opportunities, such as college or employment.

VESID accepted public comments, conducted forums and came to the consensus that the Education Department should (1) consider what the eligibility criterion would be for an alternative diploma; (2) educate students, parents and teachers about the limitations of an IEP diploma; and (3) consider evaluating students based on their vocational skills.

"By scraping the IEP diploma and replacing it with a new credential system we have a unique opportunity to create an umbrella diploma that doesn't lower a students' expectations or limit their post-graduate opportunities," Miller said.

## Disability Awareness Reaches Cortland County Youth

ATI continues to bring its Disability Awareness Day series to local schools. On November 24<sup>th</sup>, 2009, ATI facilitated the event for more than 400 students at Homer Intermediate school. On January 26<sup>th</sup>, 2010, ATI presented to the 150 students at Virgil Elementary school. ATI is scheduled to bring Disability Awareness Day to Hartnett Elementary and Saint Mary's Elementary schools during February and March 2010. ATI is also working with Homer High School to bring the program to its students through Social Studies class work.

The purpose of the Disability Awareness Day series is to provide students an opportunity to learn about the abilities that people with disabilities have, to ask questions about disability, and to open their minds to new ways of doing things. ATI tailors each Disability Awareness Day to suit the needs of a particular school, as well as the age groups of students. For example, ATI offers a different workshop curriculum for students in grades K-2, 3-6, 7-8, and 9-12.

For more information on bringing Disability Awareness Day to your school, please contact Aaron T. Baier by phone: 607-753-7363, or by email: [abaier@aticortland.org](mailto:abaier@aticortland.org).



**Above:** A Marathon Elementary student meets Maxxie, a service animal, at a recent Disability Awareness Day outreach.

## PMP Offers Job Shadowing

The ATI Peer Mentoring Program (PMP) aims to help individuals with disabilities work toward their career goals and gain real-world experience in the field of their interest. The PMP matches job seekers with a mentor who has successfully reached their goals and who will provide the job seeker with guidance and support.

ATI works closely with local businesses to setup and facilitate job shadowing and career exploration opportunities for its participants. Job shadowing opportunities involve the job seeker visiting a worksite to receive a tour of the business, ask questions about its hiring process, and try their hand at performing some of the basic job duties. Job shadowing opportunities range in duration from a half-hour to full- or part-time volunteer opportunities and are dependent upon the employer's needs and availability.

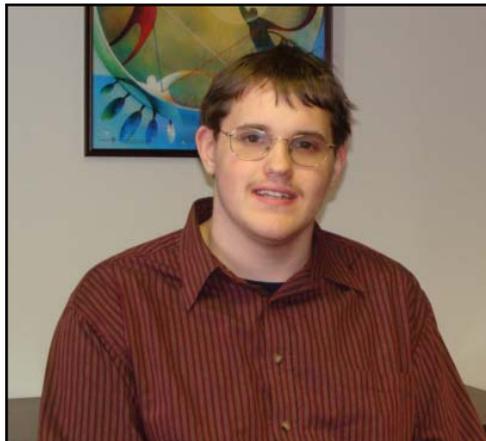
Over the past month, ATI has facilitated two job shadowing opportunities with new business partners. The Ramada Inn facilitated hands-on job shadowing opportunities for two PMP participants in their hospitality and house-keeping departments. Country Max provided a worksite tour for three participants and responded to questions about interviewing.

For more information on participating in this program contact Aaron T. Baier by phone at: 607-753-7363, or by email at: [abaier@aticortland.org](mailto:abaier@aticortland.org).



***Above:** Hali Whyland, an intern from the OCM BOCES Work Experience program, has been developing her vocational skills at Access to Independence over the past year.*

***Below:** Jarett Withers, an intern from the OCM BOCES Office Technology class, developed his office technology skills at Access to Independence over a four week span early this year.*



## Meet Hali Whyland!

Hi, my name is Hali Whyland; I am 18 years old and have Cerebral Palsy. I am currently working at Access to Independence for the work experience program at OCM BOCES. This is a program to help me achieve my goals and become as independent as I possibly can with my disability. At Access to Independence I hand out flyers, mailed out newsletters, created spreadsheets, and developed my computer and writing skills. In the future the kind of jobs I would like are working with animals at the ASPCA or working for Dan Maffie and being part of his chief of staff

My family found out about my disability when I was 2 years old. I got my first power wheelchair when I was in my first year of Fayetteville Elementary school. I was at that school until 4<sup>th</sup> grade. Then I went to Wellwood Middle School where I went up to 8<sup>th</sup> grade. Then I went to Fayetteville – Manlius High School for 1 ½ years before finally starting school at OCM BOCES in March 2007. While my mother has done a wonderful job with me and I have a very comfortable life, I will be moving out of the house that I live in right now.

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**Wanted: Peer Mentors!**  
ATI seeks Mentors to participate in its Peer Mentoring and Youth Transition Programs. Mentors work one-on-one with individuals to help them with their pre-vocational and employment goals.  
For more information, contact Aaron Baier at

## ATI's Architectural Barrier Programs Push Ahead

Between August 2009 and the end of January 2010, the ATI Architectural Barrier Program facilitated 21 home modifications for the Central New York Developmental Disabilities Services Office (DDSO).

ATI's Architectural Barrier Program aims to help people who have disabilities to remain at home independently, rather than have to move to a nursing facility.

Last year, ATI secured a five year contract worth \$750,000 to provide assistive technology and environmental modification services for consumers of the Office of Mental Retardation and Developmental Disabilities (OMRDD).

For more information, please contact Rob Ferri, ATI Architectural Barrier Program Coordinator, by phone at: 607-753-7363, or by email at: [rferri@aticortland.org](mailto:rferri@aticortland.org).



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*Above: ATI installed a sidewalk to provide access from an individual's driveway to their home entrance.*

## Go Back to Work with VESID!

Do you have a physical or mental impairment that impedes your employment?

Would you benefit by achieving an employment outcome consistent with your strengths, resources, priorities, concerns, abilities, capabilities and interests?

Do you require vocational rehabilitation services to prepare for, secure or retain employment?

If you answered yes to the above questions, you may be eligible for vocational rehabilitation services through the Office of Vocational and Education Services for Individuals with Disabilities (VESID).

To learn more, contact Denise Evans, VESID Vocational Rehabilitation Counselor Assistant, at (315) 428-4183. Denise will register you for a Community Information Session to better orient you to VESID services.

Community Information Sessions are held monthly at the Cortland Works Career Center, located at 99 Main Street in Cortland. The next sessions are scheduled as follows:

- March 17, 2010
- April 14, 2010
- May 19, 2010

Each Community Information Session begins at 10:30 am. You must register in advance. For more information, please contact Fran Pizzola, Community Education Coordinator, by phone at: 607-753-7363.




## The American's with Disabilities Act "ADA"

**Interactive Training Series:**

- Program 1:** Disability Awareness and ADA
- Program 2:** Getting Hired and Moving Ahead in a Job
- Program 3:** Tapping into Talent
- Program 4:** Serving Customers with Disabilities
- Program 5:** About Hidden Disabilities
- Program 6:** Accessibility in Federal, State and Municipal Entities
- Program 7:** Accessibility in Private or Commercial Business
- Program 8:** Accessible Technology In The Workplace
- Program 9:** Accessible Web Sites: Everyone Benefits

To request a training session, please contact Fran Pizzola, ATI Community Education Coordinator, by phone at: 607-753-7363, or by email at: [fpizzola@aticortland.org](mailto:fpizzola@aticortland.org).



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## Barrier-Free + Accessible Design + Assistive Technology = Universal Design: Part II

Universal design is a relatively new concept that emerged from "barrier-free," "accessible design" and "assistive technology." It relates to the idea that all products and environments should be usable by everyone, to the greatest extent possible, regardless of age, ability, or situation. It relates to people who are young or old, with excellent or limited abilities, and in ideal or difficult circumstances. In short, universal design accommodates limitations.

There are four common aspects to universal design that apply to your home: **Flexibility:** making your home adaptable to your needs as they change over your lifetime; **Simplicity:** ensuring things remain accessible with housekeeping, storage, entertaining, home maintenance and routine daily living; **Stylish:** keeping the home beautiful and comfortable while being accessible; and **Safety:** eliminating risk factors that may lead to accidents in the home.

Statistics show that of all accidents that happen in the home, those that happen in the bathroom are the most serious. There are a number of low-cost universal design techniques that you could in-

corporate in your bathroom to help keep you from becoming another statistic. Consider the following essential features:

- **Grab bars** are an essential safety feature as well as a handy ergonomic feature. They can come in many styles and colors. They make good towel bars and they are there when you need balance or stability.
- **Doors** should be 36 inches wide, to allow for a 34 inch clear opening when the door is open. (For additional clearance, consider the use of "off-set" hinges.)
- **Shower heads** should be adjustable for height and able to be handheld. They should have controls that are conveniently placed and easy to operate.
- **Anti-scald faucets** with single-lever handles should be installed in the sink and the shower or tub.
- **Toilets** should have seat heights that are appropriate for the household (17-19 inches high).
- **Mirrors(s)** should be placed so that they may be accessed when sitting or standing.
- **Lighting** should be plentiful and non-glare.

There are many more beneficial universal design techniques to consider for your bathroom.

- Make sure you have ample floor space in your bathroom to allow you to move comfortably between bathroom fixtures.
- Install a walk-in (or roll-in) shower with little or no threshold or lip to step over.
- Put a non-slip coating on your tub or shower floor (remove carpets or mats that can cause one to trip or slip).
- Modify your sink to include clearance underneath it to allow for a seated user or wheelchair.
- Make sure you have rounded corners, not sharp edges, on bathroom counters.
- Install a telephone in the bathroom to allow someone to call for help in case of a fall.
- Purchase a shower seat or platform for the shower or tub.

In our next newsletter we will talk about universal design in the kitchen. Until then, do not hesitate to contact our own Universal Design expert, Rob Ferri, ATI Architectural Barrier Program Coordinator, at 607-753-7363.

### Got rent?

The Cortland Housing Authority has a rental assistance program that may be able to help you!!

*The Section 8 Housing Program helps qualified people meet their monthly rent bills by paying a portion of their rent directly to their landlord.*

Interested persons may pick up applications at the Housing Authority offices located at  
42 Church Street or 51 Port Watson Street  
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Call 607-753-9364 or 607-753-1771 to request to have an application sent by mail



### CORTLAND HOUSING AUTHORITY

The Cortland Housing Authority has 380 high quality apartments available in its senior/ disabled and family developments throughout Cortland County. A single person could earn up to \$31,800, and a family of five up to \$49,100 and still qualify to live in one of our apartments.



We have senior/disabled **efficiency** and **one bedroom** apartments located in the City of Cortland. We also have **one bedroom** senior/disabled units in Homer, McGraw, Marathon, Truxton and Cincinnatus.

Our large family apartments (**3, 4 and 5 bedrooms**) are located in the City of Cortland. We also have **two and three bedroom** family apartments scattered throughout the county in Homer, Truxton, McGraw, Cincinnatus and the City of Cortland.

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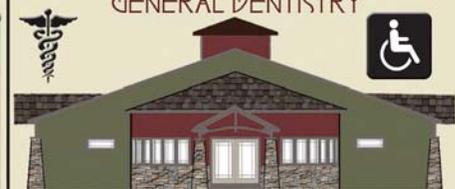
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