
Advocacy Director's Report

Spring 2009—Work as of January 31, 2009

This report represents a summary of the work Disability Rights California staff has reported through January 31, 2008. I'd like to thank those who provided the material to make this report possible.

COMMUNICATIONS

During the last quarter of 2008, we issued two products reflecting on our 30 year history: a timeline of highlights 1978-2008, and a rough-cut of a "30 years in 30 minutes" video.

During this period, our media outreach and coverage was concentrated on: getting out the vote, the Laguna Honda Hospital settlement, the Hayward Unified school district settlement, and, as the quarter progressed, increased attention to the effects of the coming budget cuts on Californians with disabilities.

Press Releases

From October 17 to December 12, we issued 7 press releases:

- In October we invited the disability and allied communities to the Open House launching our new Fresno office; and in December we invited supporters to attend the Los Angeles office Open House where we recognized retiring state Senator Sheila Keuhl and Assembly members Karen Bass and Michael Feuer for their dedication to disability issues;
- October 16 – together with Disability Rights Advocates, we announced the conclusion of a 2 year structured negotiation with the Hayward Unified School District, which, through a local bond, creates a 10 year funding stream to make older buildings more accessible and school programs more inclusive;
- October 17 – we reported on "fleeing felon" cases of the Social Security Administration, where people who had warrants

against them in one state, are precluded years and sometimes decades later from receiving SSA disability benefits when they move to another state. Although many individuals do not know there are outstanding warrants against them, the SSA assumes the reason they moved was to flee the warrant and has built a bureaucratic wall to keep thousands of people from getting benefits;

- On October 1 and 27 – we published preliminary and detailed releases on how and where our Voter Hotline would be operating, encouraging voters with disabilities to get in touch with us with questions about voting before and during election day; and
- October 30 – we issued a release about the right of all adults to vote, in response to local news stories reporting some objections to voting by people with developmental disabilities.

Press coverage of our issues

The media continued to cover the community impact of the Laguna Honda Hospital settlement, reported on the Hayward structured negotiation, included the disability vote in its pre-election coverage, showed ongoing interest in the passage of AB 1608, a bill to improve accessibility of businesses, and conducted its own investigations into classroom restraint and seclusion of children with disabilities.

Highlights were:

- October 3 – the San Francisco Business Times carried an in-depth story about the downsize of the Laguna Honda rebuild, quoting Elissa Gershon on how an estimated 2000-3000 residents of LHH and those who would have been placed there in the future, will benefit from the new services to help them find accessible community housing and services;
- October 20— the Inside Bay Area syndicated papers quoted Stephen Rosenbaum in its article explaining how the structured negotiation process, rather than a lawsuit, was effective in working with parents and school officials to find ways to improve access and inclusion throughout an entire district;
- November 11 – Beyond Chron (a blog extending discussion of issues from the SF Chronicle) included Disability Rights California in its coverage of a San Diego rally protesting the Governor's cancellation of a low income renters' rebate;

- November 30 – the Whittier Daily News covered a disability access lawsuit against a Rosemead merchant and featured Margaret Johnson's point that most businesses did not respond to polite requests for increased accessibility and, therefore, lawsuits were still a necessary tool;
- December 17 – CNN expanded its coverage of abuse of schoolchildren through restraint and seclusion by launching its own investigations, quoting Leslie Morrison about how difficult it had been to get investigators inside the schools to conduct our study of the problems.

Communications Goal: 3

Disability Rights California Staff: Barbara Duncan, Elissa Gershon, Stephen Rosenbaum. Margaret Johnson, Leslie Morrison

Grant Funding Source: Trust Fund, PADD, PAIMI

Website

Hot Topics that we promoted regularly on the website were:

- The budget crisis – by November we had so many articles and analyses about how the proposed cuts would impact people with disabilities that we had to set up a Budget Homepage. Linked to the homepage, the Budget Homepage is updated almost daily;
- National and California articles exposing the unacceptable delays in processing returning veterans applications for disability services and benefits;
- Tracking the federal mental health parity bill to its final adoption as part of the financial rescue legislation;
- Following the disability issue discussions in the lead-up to the election and reporting on the Obama disability platform afterwards; as well as,
- Lighter features on disability media campaigns and Californians with disabilities who are making their mark

Communications Goal: 3

Disability Rights California Staff: Barb Duncan, contractors Ruth Ordas and Hizuru Cruz

Grant Funding Source: Trust Fund

Improvements to the Legislative Webpage

The legislative page continuously evolves along with the issues we face. The budget has become a major area of focus this year and the legislative page reflects that with budget position papers and fact sheets on the most recent budget proposals. We found last year's website survey to be a valuable tool to improve the website and have updated the survey to reflect more recent happenings at the capitol, as well as to get more feedback from the public on our advocacy. For more details see the **Winter 2008 AD Report**.

Communication Goals: 2, 3

Disability Rights California Staff: Brandon Tartaglia, Margaret Johnson, Barb Duncan

Grant/Funding Source(s): Equal Access, Trust Fund

LEGISLATIVE ACTIVITIES

The legislature moves quickly and things can change overnight, so for the most current information on bills or other activities reported here, check Disability Rights California's legislative website: <http://www.disabilityrightsca.org/legislature/index.htm>

Budget Advocacy

In early November, shortly after the Governor signed the budget for 2008-2009, he called a special session to make additional cuts to the budget he just signed in September 2008 because the budget gap had grown to 14 billion. We spent a significant amount of time reviewing the special session proposals, working in issue-specific coalitions such as the IHSS coalition and testifying against these proposals in budget committee hearings. With regional office staff, we developed fact sheets on the impact of the special session cuts and gathered stories from clients who would be affected if the proposals passed and proposed other ways for the state to raise and save money without targeting our constituents. The Special Session came and went with no resolution as to current fiscal year cuts or revenue increases.

Then, on the eve of a new year, the Governor introduced his budget for the 2009-2010 Session. This was the earliest that the Governor had ever released his budget proposals; however, the proposals for deep and damaging cuts to services for people with disabilities were not new. The Governor proposed the same cuts during a special legislative session in November; many of the cuts originated in the May 2008 budget revision (aka May Revise). The administration projects an estimated \$42 billion budget shortfall through June of 2010; tax receipts in 2009 may change that for better or worse. Along with the enormous budget deficit, the state faces an immediate cash shortage that may delay some payments to those who receive cash assistance, are vendors to the state or are Californians owed income tax refunds. Disability Rights California reviewed and analyzed the Governor's budget proposal, gearing up to fight the massive cuts to social programs with ideas for savings within programs and other ideas for generating new revenue.

For a summary of the cuts proposed in the Governor's January Budget Proposal and Disability Rights California's revenue enhancement ideas please see our Budget Home Page:

http://www.disabilityrightsca.org/news/Budget_Crisis-2008.htm#analyses

There is another variable when it comes to the Governor's proposed cuts--the federal economic recovery package. The federal legislation may help to save some programs from cuts, but the details of what assistance California will receive are still very fluid. Current speculation centers on an increase in the federal match for state dollars in the Medi-Cal program from 50% to around 62%. With the increased federal match will come the elimination of the Medi-Cal eligibility reduction proposals; however, the federal government will not require that the new money be spent to roll back the other proposed cuts, such as in Medi-Cal Optional benefit or In Home Supportive Services.

Public Policy Goals: 3, 4, 6

Disability Rights California Staff: Evelyn Abouhassan, Deborah Doctor, Brandon Tartaglia, Margaret Johnson

Grant/Funding Source(s): Trust Fund, Equal Access

Capitol Action Day 2009

Capitol Action Day 2009 is scheduled for May 27. Advocates from Disability Rights California, California Foundation of Independent Living Centers, and others are currently figuring out the logistics and looking for funding for the event. We hope for, and expect, a large turnout due to the many issues facing people with disabilities this year, particularly the proposed budget cuts.

Public Policy Goals: 4, 6

Disability Rights California Staff: Brandon Tartaglia, Deborah Doctor

Grant/Funding Source(s): Equal Access

Revisiting the Issue of Seclusion and Restraint Legislation

Several legislators including Assembly Members Ma, Davis, Calderon, and Senator Alquist approached us this year about

sponsoring a bill to limit the use of seclusion and restraint in schools because of media exposure we received on the issue. Because of this interest, we met with and discussed the issue with staff from Assembly Member Ma's office and Assembly Member Davis' office.

Given the interest in the bill idea, the media exposure and the push on the national front to legislatively address the issue, we will be asking the Disability Rights California Board to add this to our legislative platform for 2009.

As with SB 1515 from last year, this measure will establish minimally safe standards for the use of restraint in schools and prohibit the use of seclusion in schools - except in very narrow circumstances and for a limited time. This bill would require training of professionals who use seclusion and restraint practices. Unlike last year's bill, this bill would only apply to special education students not all students, in order to address the opposition we received last year from the California State Sheriffs' Association, who claimed that the bill "limited the intervention available to educational providers to address potentially serious behavioral issue and, therefore, it increased the likelihood that law enforcement may be called. . .". We believe narrowing the scope will help ensure its passage.

Public Policy Goals: 1,2,3,6

Disability Rights California Staff: Evelyn Abouhassan, Leslie Morrison

Grant/Funding Source(s): Trust Fund

Introduction of AB 214: Durable Medical Equipment (DME)

Last year Disability Rights California co-sponsored SB 1198 (Kuehl) with the Disability Rights Education and Defense Fund, Inc. (DREDF), which would have mandated health insurers to offer DME coverage in employer-based plans and would have eliminated any caps on DME coverage which were below the overall policy cap. The governor vetoed the bill.

Assemblyman Wes Chesbro has introduced AB 214 on behalf of Disability Rights California, DREDF and the MS Society, which is an even stronger bill, mandating that health insurers actually cover DME in the plans they offer employers. It includes the same prohibition on

cost caps as SB 1198. The MS Society will bring eager grassroots advocates to the fight for the bill.

Public Policy Goals: Discrimination 1, Benefits 2
Disability Rights California Staff: Deborah Doctor
Grant/Funding Source(s): Equal Access

AB 1629 Stakeholder Process – Nursing Home Rates

In 2004, the Governor signed AB 1629, which revamped California's reimbursement system for nursing homes, providing rate increases each year. In late 2008, the administration appointed an 18-member stakeholder group, including Disability Rights California, to look at the effects of AB 1629. The group met over three months, in an intensive and contentious process which included amassing volumes of technical information and debating whether AB 1629 had met its goal of improved care in nursing homes. While nursing home spending has increased 37% since AB 1629, complaints about care have gone up much more steeply. The consumer advocates worked as a team to develop recommendations, almost all of which were opposed by the industry representatives. The recommendations are going to the Department of Health Care Services for feasibility analysis; a full report including all recommendations will go to the legislature.

Public Policy Goals: Benefits 1 and 3, Discrimination 1, Abuse and Neglect 1
Disability Rights California Staff: Deborah Doctor,
Grant/Funding Source(s): Equal Access

COLLABORATIVE PROJECTS

Disability Rights California Trains Poll Monitors to Observe Poll Sites on Election Day to Make Sure That They Are Accessible

Disability Rights California trained volunteers to monitor poll sites across the County of Los Angeles during the November 2008 election. See Regional Report 55 for more information about this project.

Collaborative Projects Goals: 1, Objective A

Disability Rights California Staff: Lori Shepherd and Nakida Gooden

Grant/Funding Source(s): PAVA

Employment Project for Workers with Disabilities

Many people, who sustain a workplace injury, are able to return to work with no permanent disability as a result of their injuries. Others, however, have serious enough injuries to result in permanent disabilities. In 2004 legislation cut these individual's benefits and medical treatment by 70%. This legislation also eliminated vocational rehabilitation services for them as of January 2009. As a result many people have lost not only their jobs, but also their homes, have been unable to provide basic food and shelter for their families, and have lost their friends, and most importantly their self-esteem.

Throughout California people with disabilities are coming together to discuss: legislation, written materials, creating a website of resources for people with disabilities who want to return to work, how to conduct education and outreach to workers with disabilities, especially workers whose primary language is not English, and how to share information, experiences, and encouragement and hope to other workers with disabilities.

We are forming an advisory committee of workers with disabilities to design a collaborative project that addresses these issues through such activities as developing a manual on services available for workers with disabilities written by disabled workers for disabled workers. People have told us that they want a 3 part manual that

includes the following: 1) How to advocate for yourself to get needed benefits, services and medical treatment; 2) how to work with your attorney; and 3) how to engage in an interactive process with your employer in order to return to work.

Collaborative Projects Goals: 1, Objective B

Disability Rights California Staff: Lori Shepherd and Nakida Gooden

Grant/Funding Source(s): PAIR, PAIMI

SELF ADVOCACY ACTIVITIES

DEVELOPMENTAL DISABILITIES PEER SELF ADVOCACY

Training and Outreach Activities

We provided 30 trainings, presentations and outreaches on a variety of topics such as; Self Advocacy, Rights of people served by day programs and who live in facilities, Supported Living Services, Abuse Prevention, Individual Program Plan (IPP) Rights, Effective Strategies for IPP Rights in Tight Budget Times, Supported Employment Services, Civic Participation and Voting Rights in addition to outreaches regarding our services to approximately 771 people to groups such as; Easter Seals of Citrus Heights, Elk Grove People First, Modesto and Manteca CAPS in San Joaquin County, Sierra Vista ICFDD in Yuba City, the Vine Village Program in Napa County, Goodwill Services in Sacramento, Thumbs Up in Sonoma County, Capic Day Program Services in Whittier, Orange County People First, Goodwill Services in Los Angeles, Abilities First of East Los Angeles and Pasadena, The Lincoln Training Center in Los Angeles, The Family Resource Center and Consumer Advisory Committee of East Los Angeles Regional Center, Goals Services in Los Angeles, The ARC of Long Beach, Fiesta Educativa in Los Angeles, The Self Advocacy Coordination Project in Sacramento, The Supported Life Conference and Sonoma Developmental Center in Sonoma County.

DDPSA Goals: 1, Objective A-C

Disability Rights California Staff: Daniel Meadows, Maria Marquez, Marinda Reed, Jenny Olson and Alicia Mendoza

Grant/Funding Source(s): PADD,PAVA

Monty Cruz Receives Peer Services at an Important Time in his Life

DDPSAU staff provided individual peer advocacy services to two people this quarter.

One of the people assisted was Monty Cruz (not his real name) who wanted help strengthening his self advocacy skills so he could resolve concerns he had with transition services from high school to adult services. We gave him information about transition service rights and living arrangement and day activity rights when he becomes an adult. We provided self advocacy based guidance and problem solving suggestions. Mr. Cruz was also provided with information about local People First chapters.

DDPSA Goals: 1, Objective A

Disability Rights California Staff: Marinda Reed, Daniel Meadows,
Grant/Funding Source(s): PADD

Supported Life Conference Training

This year we presented two trainings at the Sacramento Supported Life Conference held in October. People with developmental disabilities, family members and professionals have received education, training and support from the Supported Life Institute conferences for many years about emerging services and best practices for people with developmental disabilities. The Supported Life conference is highly respected as one of the most inclusive conferences serving people with developmental disabilities in California because it includes people with disabilities as equals both as participants and presenters. At the conference we trained 97 participants on effective strategies for IPP development and the regional center appeal process during difficult economic times.

We also trained 31 participants about their voting rights highlighting the importance of the upcoming 2008 election, voting rights for people with developmental disabilities, effective non-partisan strategies and resources for learning about ballot issues and candidates, how to obtain non-partisan assistance with the voting process, where to obtain assistance if they encounter voting discrimination and what the appropriate boundaries are for people who assist others with voting.

DDPSA Goals:1, Objective B

Disability Rights California Staff: Marinda Reed, Maria Marquez,
Daniel Meadows, Jenny Olson, Alicia Mendoza, ThoVin-Bahn,

Sujatha Branch, Michael Thomas, Gail Gresham, Leilani Pheifer,
regional office staff and OCRA staff

Grant/Funding Source(s): PADD, PAVA

DDPSAU Networks with Self Advocacy and Stake Holder Groups on Emergency Preparedness

We maintain liaison relationships with a number of regional, state and national stake holder and self advocacy organizations such as; Self Advocates Becoming Empowered, People First of California, the Department of Developmental Disabilities Consumer Advisory Committee, the Self Advocacy Coordination Project, the Regional Self Advocacy Project, Bay Area People First, Capitol People First, Alta Regional Center and Eastern Los Angeles Regional Center Consumer Advisory Committees, the Self Advocacy Board of LA County, People First of Orange County, People First of San Diego County, the University Center for Excellence in Developmental Disabilities, the California Memorial Project and the Consumer Advocate Network.

During this quarter we participated in six collaborative stake holder activities involving 84 people which impact the developmental disability community in advancing inclusion and overcoming barriers.

One of these projects is the Feeling Safe Being Safe emergency preparedness project sponsored by the Office of Emergency Services (OES), the Department of Developmental Services and the Board Resource Center. This project provided OES approved training to consumer leaders from around the state to provide emergency preparedness training to their peers. We received the training and are developing unit specific materials that will be used along with the OES training materials when training on this subject later this year.

DDPSA Goals: 1 and 2, Objectives 1-C and 2-A.

Disability Rights California Staff: Marinda Reed, Maria Marquez, Daniel Meadows, Alicia Mendoza, Jenny Olson, regional office staff and OCRA staff

Grant/Funding Source(s): PADD, PAVA

PEER SELF ADVOCACY

Self-Advocacy Group Members at Patton Collaborate to Develop a Peer-to-Peer Guidebook

The Patton Self-Advocacy Group on the West Compound is developing a Patton State Hospital peer self advocacy book - "Putting Yourself in the Driver's Seat." The book will provide information about self advocacy skills and rights of state hospital residents. The group is finalizing the title page, dedication page and table of contents and will be developing and reviewing the book's contents in upcoming months. Group members plan to develop a PowerPoint presentation of the guidebook with illustrations that can be shown to other self advocacy groups throughout the state, such as the self advocacy group at Napa State Hospital, to help them in their self advocacy efforts.

PSA Goals: 1, Objective A

PSA Staff: Garnet Magnus

Grant/Funding Source(s): PAIMI

Members of Veteran's PSA Self-Advocacy Group Provide Resources about Veteran Rights and Service Needs

In collaboration with Trilogy Integrated Resources, three members of the Veteran's Self-Advocacy Group were employed to help produce training videos to launch Trilogy's National Veterans website, which is an online resource for veterans who want information about their rights and services so they can advocate for themselves.

PSA Goals: 1, Objective A

PSA Staff: Michael McPherson

Grant/Funding Source(s): PAIMI

Outreach in Los Angeles to Provide Peer Self Advocacy Services in English and Spanish

One of our newest staff members has already provided several outreaches in the Los Angeles area, including at Step Up On Second

in Santa Monica and the San Pedro Wellness Center. She talks with consumers and staff about Disability Rights California , the importance of self advocacy and various PSA projects, such as the California Memorial Project. She finds out where our services are needed most so we can provide workshops and ongoing self advocacy groups to those who request them. At one of the outreach events, we provided written information and referrals to an Asian language speaking person who lived at a board and care facility about board and care rights.

PSA Goals: 1, Objective B

PSA Staff: Rosy Tellez

Grant/Funding Source(s): PAIMI

PSA Staff Participate in Mental Health Services Act Community Forums

PSA staff participate in several Mental Health Services Act (MHSA) community forums focusing on the Prevention and Early Intervention planning in Los Angeles, San Diego and Ventura counties. We provide information regarding the particular needs for services of different communities, including the American Indian, Veteran and Gay/Lesbian/Bisexual/Transgender/Questioning communities, to make sure the voices of the people we serve are heard.

We also developed a proposal detailing our program's services and effectiveness, with the goal of being selected by Los Angeles County to provide additional self advocacy services with MHSA funding.

Under the Workforce, Education and Training component and the Information Technology and Capital Facilities component of the MHSA plan, we want to provide peers with education and hands-on training so they can reach their self-advocacy goals through the use of computers and information technology.

PSA Goals: 2, Objective B

PSA Staff: Senobia Pichardo, Rosy Tellez, Robyn Gantsweg, Michael McPherson

Grant/Funding Source(s): PAIMI

Sonoma County Self Advocacy Disability Rights Day

Disability Rights Day held on November 12, 2008 was a success. We provided information about Disability Rights California and its peer self advocacy activities. It attracted the largest attendance to date at the Wellness and Recovery Center with over 58 attendees.

PSA Goals: 1, Objective B

PSA Staff: Linda Kehoe

Grant/Funding Source(s): Sonoma Contract

Napa State Hospital Self-Advocacy Group Receives Computer

Napa State Hospital administration replaced an old unreliable computer with a computer and flat screen monitor for use by individuals who attend the self-advocacy group. Group member use the computer to type letters and prepare other documents they need to self advocate for their rights. The group also had a new printer donated which can make copies. Many group members need to make copies of their legal papers and can now do so. In addition, there were over 100 forensic mental health law cases uploaded to the new computer. Attendance at the group climbed from an average of 12 members to 18 - 20 members during this quarter.

PSA Goals: 1, Objective B

PSA Staff: Debi Davis

Grant/Funding Source(s): PAIMI

Crestwood Redding and Second Home Self-Advocacy Groups-Redding

Both groups have been studying patients' rights, stigma reduction, right to access medical records, and assertiveness. Attendance ranges from 4 to 12 clients per meeting per group. Group members put into practice what they learn and two clients are going to board and care homes while another is on a waiting list. Future planned topics for the groups include Your Right to Refuse Medication, Vocational Rehabilitation Rights, and general self help activities.

PSA Goals: 1, Objective B

PSA Staff: Mark Olberg

Grant/Funding Source(s): PAIMI

Central Valley Self-Advocacy Groups begin Planning for 2009 Third Annual Women's Conference

The three monolingual Spanish speaking self advocacy groups in the central San Joaquin Valley are planning their 3rd Annual Women's Conference to be held in October 2009 at Huron CA.

The three groups are:

Asociación de Mujeres Unidas de Coalinga, Asociación de Mujeres Unidas de Huron and Woodlake Women's Association.

They hope to attract over 100 participants interested in self advocacy. Workshops will be offered on mental health services and rights, self advocacy, community resources, immigration and other topics. The organizing committee plans to invite Mexican movie, theatre and singing celebrities, who have been involved with women's issues such as, mental health, depression and domestic violence, to speak at the conference.

PSA Goals: 1, Objective B

PSA Staff: David Solis

Funding Source: PAIMI

Self-Advocacy Groups begin in Sacramento

In December 2008, we hired a Trainer to serve the Sacramento Area. Since his hire, he has started two self advocacy groups, one at the Sacramento Wellness Center and the other at American River Behavioral Health Center in Carmichael. These groups are in their 3rd and 2nd weeks of existence respectively. We also plan to start a group at the proposed Wellness Center (South); if and when this center officially opens.

PSA Goals: 1, Objective B

PSA Staff: Lou Williamson

Funding Source: PAIMI