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THE NEWSPAPER POSITIVELY FOR BY & ABOUT PEOPLE WITH DISABILITIES

# HOUSING OPTIONS

## Suffolk Bills Provide More Homes For PWD



Suffolk County Exec. Steve Bellone, seated center and Leg. Nick Caracappa hold up signed housing bill.

In December 2022, several individuals and agencies, including the staff at Suffolk Independent Living Organization (SILO) advocated at a public hearing of the Suffolk County Legislature, in favor of two housing bills.

IR 1839 - A Local Law to Improve the County's Affordable Housing Programs for Veterans and IR 1840 - A Local Law to Improve the County's Affordable Housing Programs for Individuals with Disabilities.

The two bills were voted on and passed unanimously by the legislature in June and were signed into law by County Exec. Steve Bellone. The signing was attended by advocates, legislators, veteran's representatives and County officials including member of the SILO staff, Office for People with Disabilities Dir. Frank Krotschinsky, Leg. Nick Caracappa (D-Dist. 4) and special needs attorney Regina Brandow.

The first piece of legislation

requires any property receiving county funding to set aside at least five units for veterans, but no more than 10 percent of units in the development. Suffolk County has the largest population of veterans in New York State.

The second piece of legislation requires any property receiving county funding to set aside at least five units of non-certified housing for individuals with developmental disabilities

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# SCOTUS: Nursing Homes Can Be Sued

The U.S. Supreme Court recently ruled in a 7-2 decision that a person can sue a nursing home for failing to meet minimum federal standards of care in *Health and Hospital Corporation of Marion County v Talevski*.

The Arc of the United States (The Arc) called it “a case that might have gutted Medicaid and other safety net programs.”

Justice Ketanji Brown Jackson wrote in the decision that a post Civil War law protects people from abuse by state governments.

Previously the Supreme Court has said that a section “Section 1983” of federal law broadly gives people the right to sue state and local governments when their employees violate rights created by any federal statute.

Congress protected anyone not allowed “any rights, privileges or immunities secured by the Constitution and laws” of the U.S.,” Brown Jackson wrote. She continued that the Federal Nursing Home Reform

Act, protects vulnerable patients, to be free from unnecessary chemical or physical restraints and unjustified transfers from a facility.

“Today’s Supreme Court ruling upholding the right of an individual to sue a nursing home for failing to meet minimum federal standards of care is extremely important,” said Richard Mollot, executive director of the Long Term Care Community Coalition.

“As many of you are (sadly) well aware, too many nursing homes fail to provide even basic care or life with dignity for their residents.

“Far too many prioritize maximizing profits by cutting staffing to levels that are unsafe for both nursing staff and residents.”

The case concerned a dementia patient, Gorgi Talevski, who since has died. He was living in a public nursing home in Marion County, Ind. The lawsuit alleged that by using chemical restraints and other actions, the facility violated Talevski’s

rights under the Federal Nursing Home Reform Act.

“Today is a monumental win for disability rights and the principle that a private right of action is critical in the access, accountability and antidiscrimination of our country’s Medicaid and safety net programs,” said Shira Wakschlag, senior director of legal advocacy and general counsel for The Arc. “The U.S. Supreme Court has upheld the rights of Medicaid beneficiaries to seek legal recourse when state officials are violating their rights...”

“People with disabilities have long faced pervasive discriminatory treatment within American society, and they have relied on lawsuits to enforce Medicaid’s protections, including the landmark *Olmstead v. L.C.* case.”

Chief Justice John Roberts and Justices Brett Kavanaugh, Sonia Sotomayor, Elena Kagan, Neil Gorsuch and Amy Coney Barrett joined Jackson’s opinion. Justices Clarence Thomas and Samuel Alito dissented.

# Keeping Medicaid Recipients Covered

Automatic enrollment for Medicaid recipients has ended.

Auto enroll was put in place during the pandemic to ensure continuous health coverage, but now Medicaid, Child Health Plus and Essential Plan members must re-certify or they will lose coverage. Members of special populations like the aged, blind or disabled must also re-certify to keep coverage.

Keep LI Covered, a grassroots effort led by the Nas-

sau-Suffolk Hospital Council (NSHC), in partnership with Central Nassau Guidance and Counseling and the Health and Welfare Council of Long Island, wants all eligible Long Islanders to be aware of their coverage deadlines and what agencies provide free re-certification assistance. Those interested should call 631 435-3000 to be connected to the appropriate agency.

New York State began mail-

ing re-certification notices to enrollees and will continue to do so until June 30, 2024, as each enrollee’s re-certification deadline nears. Enrollees should call the Keep LI Covered to re-certify so they don’t lose coverage.

“We have about 900,000 eligible enrollees on Long Island. It’s a huge undertaking, but we don’t want anyone who is still eligible for coverage to lose their health insurance simply because they failed to re-certify,” said Stacy Villagran, COO, Nassau-Suffolk Hospital Council. She is overseeing the island-wide re-certification effort that is funded by a grant from the Community Service Society of New York, and its multiple funders.

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# Sens. Introduce Medicare Information Bill

**S**ens. Bob Casey (D-Pa.) and Todd Young (R-Ind.) recently introduced the Beneficiary Enrollment Notification and Eligibility Simplification (BENES) 2.0 Act (S. 1687) in the U.S. Senate.

The bill would require the federal government to provide advance notice to people approaching Medicare eligibility about basic enrollment rules, filling a longstanding gap in outreach and education.

While most older adults and people with disabilities are automatically enrolled in Medicare Part B, a growing number are not. These individuals

must make an active enrollment choice, taking into consideration specific timelines, complex Medicare rules, and their existing coverage.

“Far too many people make mistakes when trying to navigate this confusing system. The consequences of such missteps are significant and may include lifetime financial penalties, higher out-of-pocket health care costs, and gaps in coverage,” said Fred Riccardi, president of the Medicare Rights Center, a national, nonprofit consumer service organization that works to ensure access to affordable health care for older adults and people with disabilities.

In 2021, about 779,400 people were paying a Part B late enrollment penalty (LEP). The average amount increased their monthly premium by nearly 27 percent.

The BENES 2.0 Act would help prevent these costly errors, empowering informed enrollment choices. In so doing, it would advance the goals of the original BENES Act. Fully implemented this year, the BENES Act modernized transitions to Medicare by eliminating lengthy waits for coverage and updating Special Enrollment Period (SEP) flexibilities. The BENES 2.0 Act would build upon those successes to fur-

ther improve enrollee health, well-being, and economic security.

“The BENES 2.0 Act would simplify Medicare enrollment, streamline access to care, and support beneficiary decision-making,” Riccardi said. “On our national helpline, we frequently get questions about Part B enrollment and hear from beneficiaries who made a mistake and are struggling with lifetime penalties and health coverage gaps. The BENES 2.0 Act recognizes and rises to these challenges.”

To learn more, those interested may visit [www.medicarerights.org](http://www.medicarerights.org).

## Act Supports Students With Mental Health Issues

Sen. Edward Markey (D-Mass.), chair of the Senate Health, Education, Labor, and Pensions Subcommittee on Primary Health and Retirement Security, and Representative Katie Porter (Calif. Dist.47) have introduced the Student Mental Health Rights Act.

The legislation would require the Department of Education (DOE), in consultation with the Assistant Attorney General of the Civil Rights Division of the Department of Justice (DOJ), to publish guidance for colleges and universities to better support students with mental health disabilities and substance use disorder.

It also would require the Secretary of Education to collect data on the prevalence of mental health disabilities and substance use disorders at colleges and universities, review best practices for supporting students and assess current policies at academic institutions regarding leaves of absence.

Healthy Minds Network (HMN) reported that from 2021 to 2022, 44 percent of college students suffered from depression and 37 percent from anxiety. However, students reported barriers to accessing care for these and other mental health disabilities, including financial cost, lack

of available appointments and confusion on where to seek help.

Students with disabilities are protected by civil rights laws, including the Americans with Disabilities Act (ADA), the Rehabilitation Act, and the Fair Housing Act. Yet,

disabled students continue to report discrimination, financial burdens and the denial of reasonable accommodations, which forces students to take involuntary medical leaves of absence, and in some instances, makes their requests for

**Continued on page 18**

## Disability Unite Festival Returns Sunday, July 16

Friends and family members will gather at the Central Park Naumburg Bandshell from 11 a.m. to 4 p.m., July 16, for the citywide celebration of July's Disability Pride month and to commemorate the 33rd anniversary of the Americans with Disabilities Act (ADA).

Then the party keeps going exclusively online, for another two hours of exciting virtual music, dance, theatre and more at [DisabilityUnite.Org](http://DisabilityUnite.Org).

This year's theme is “Innovate and Shift Perspectives.” Disability Inclusion Training is scheduled for 11 a.m., on-stage performance begins at noon

and the virtual experience begins at 4 p.m. Captioning, sign language interpretation and audio description will be provided.

For those outside of New York City or for those who prefer virtual participation, all festival performances and programming will continue to be live-streamed on the Disability Unite website, so they can tune in from wherever they are located to enjoy music, dance, engaging discussions, gaming and more.

By visiting [www.disabilityunite.org](http://www.disabilityunite.org), one may sign up for the mailing list.

## ‘Eat Your Catfish’ Debuts On PBS



‘Eat Your Catfish’ debuts July 24 on PBS, Streaming Until Oct. 22. POV, America’s longest-running non-fiction series, provides a balanced, in-depth look at Kathryn, a woman paralyzed by late-stage ALS in the moving family portrait, “Eat Your Catfish.”

Reliant on round-the-clock care, she clings to a mordant wit while yearning to witness her daughter’s wedding. Narrated by Kathryn and pictured entirely from her point of view, (back of head shown, foreground) co-directors and producers Adam Isenberg, Senem Tüzen and) Kathryn’s son, Noah Amir Arjoman deliver a brutally frank and darkly humorous portrait of a family teetering on the brink, grappling with the daily demands of disability and in-home caregiving.

“Eat Your Catfish” makes its national broadcast premiere on POV Monday, July 24 (see local listings) and will be streaming at [pbs.org](http://pbs.org), until Oct. 22. In addition to standard closed captioning for the film, POV, in partnership with audio description service DiCapta, provides real-time audio interpretations.



# Judge Terminates Woman's Conservatorship

A probate judge in Santa Cruz County, Calif. has terminated the conservatorship of Marie Bergum, a California woman with an intellectual disability.

Bergum, who is represented by the American Civil Liberties Union, as well as private attorneys Jonathan Martinis and Lisa Hutar, is one of the first to be released from conservatorship following the passage of a new California law that reforms how courts impose, review and terminate probate conservatorships.

"I am so glad that I found supporters and lawyers who helped me end my conservatorship. It feels good to have someone believe in me," said Bergum. "With supported decision-making, I get help from

people I trust to make my own choices. I want people to understand that conservatorship is not the only way, and that people with disabilities can make choices and learn and live their own lives."

In September 2022, California Gov. Gavin Newsom signed into law the Probate Conservatorship Reform and Supported Decision-Making Act, A.B.1663.

This law requires courts to consider less restrictive alternatives to conservatorship like supported decision-making, makes it easier to terminate a conservatorship and requires courts to inform people subject to conservatorship of the rights they retain.

The law recognizes support-

ed decision making in law for the first time in California. It is the culmination of years of advocacy by disability rights organizations and comes after Britney Spears' conservatorship case brought the issue to the national spotlight.

"Marie wants to live life on her own terms, just like hundreds of thousands of other disabled people whose civil liberties are curbed due to restrictive conservatorships and guardianships," said Zoe Brennan-Krohn, staff attorney with the ACLU's Disability Rights Program.

"For too long, conservatorships have been too easy to establish and too hard to terminate. Marie is using supported decision-making to direct her own life with

supports. It is wonderful that California's new law, and the judge in Marie's case, recognize that supported decision making is a valid practice that can be used instead of conservatorship."

Bergum has been fighting to end her conservatorship (known as a guardianship in some states) since 2011, when she sent a handwritten letter asking a court to end the guardianship controlled by her father.

She is enrolled in an independent living program, which helps her learn skills to live on her own. She remains a steadfast advocate for people with disabilities and worked to pass the law she used to terminate her own conservatorship.

# Restraint & Seclusion Still Being Used As Discipline

Restraint and seclusion are traumatic, outdated, and ineffective discipline practices, which are commonplace in

schools throughout the country. Even though they have caused thousands of injuries and deaths, there are no fed-

eral laws to protect children from the abusive use of these tactics.

Sen. Chris Murphy and Rep. Don Beyer reintroduced the Keeping All Students Safe Act (KASSA) for the 14th Congress in a row. KASSA would eliminate the use of seclusion and prohibit the practice of restraint in most cases and give parents a private right of action against school districts that misuse these practices.

Restraint and seclusion are disproportionately used against students with disabilities, particularly Black students, and have long-lasting consequences on their achievement and health.

"Protecting students with disabilities from physical harm and abuse shouldn't be a debate, but it's something we've been fighting for over a decade," said Robyn Linscott, director of education and family policy at The Arc of the United States. "Thousands of times a day, students are being locked in closets and bathrooms, pinned to the ground, restrained with mechanical devices for hours, and worse. These practices are life-threatening and they're denying students with disabilities a full

and safe inclusion in our education system."

Restraint is intended to be used as a last resort in emergencies when there is a threat of imminent physical harm. Too often, it is used for minor behavioral issues, not complying with instructions, or even to punish manifestations of a child's disability.

More than 100,000 students, the majority of whom have disabilities, are subjected to restraint and seclusion every year. Students with disabilities represent 13 percent of the student population, but account for roughly 80 percent of those subjected to restraint and 77 percent subjected to seclusion.

Some students are repeatedly restrained and secluded despite the fact that there is no evidence these tactics are effective in reducing the occurrence of the behaviors being punished.

A patchwork of state policies and a lack of federal oversight and accountability allow these practices to continue freely.

Since 2009, the Keeping All Students Safe Act (KASSA) has been introduced in every Congress but has not garnered the support it needs to pass.

The Town of Brookhaven Affordable Housing Program

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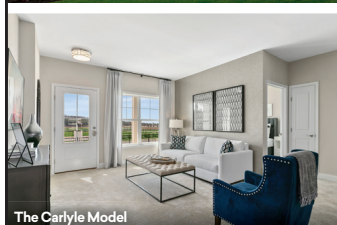
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# Resources Assist Those With I/DD & Caregivers

**C**MS has released a set of resources designed to support state Medicaid and partner agencies that play critical roles in designing and delivering supports and services that meet the current and future needs of adults with intellectual and developmental disabilities (I/DD) and their aging parents and caregivers.

An estimated one million households in the U.S. include an adult with I/DD living with and supported by aging caregivers and this number is growing. As adults with I/DD and their caregivers age and experience life transitions,

they may need new or additional support.

## Series Of Resources

“How State Agencies Can Anticipate and Meet the Needs of Adults with I/DD and Their Aging Caregivers” describes strategies that state Medicaid and partner agencies can leverage to meet the needs of adults with I/DD and their caregivers, including strategies related to services, data management and partnerships. Information is available by visiting [www.medicaid.gov/medicaid/downloads/State\\_Agencies.pdf](http://www.medicaid.gov/medicaid/downloads/State_Agencies.pdf).

“State Policies and Practices to Support Person-Centered

Planning Across the Lifespan for Individuals with I/DD and Their Aging Caregivers” highlights ways states can design and implement person-centered planning processes to support adults with I/DD and their caregivers throughout their lives. Information is available by visiting [www.medicaid.gov/medicaid/downloads/Person\\_Centered\\_Planning.pdf](http://www.medicaid.gov/medicaid/downloads/Person_Centered_Planning.pdf).

“State Policies and Practices to Support Aging Caregivers of Adults with I/DD” discusses strategies states are using to address the needs of aging caregivers, including assessment, training and navigation support.

Information is available by visiting [www.medicaid.gov/medicaid/downloads/Support\\_for\\_Aging\\_Caregivers.pdf](http://www.medicaid.gov/medicaid/downloads/Support_for_Aging_Caregivers.pdf).

“State Spotlights: Supporting Adults with I/DD and Their Aging Caregivers” highlights strategies states are using in four areas of focus, mainly building interagency partnerships and relationships, providing engagement and navigation supports, implementing person- and family-centered systems of support and planning for the future.

Information is available by visiting [www.medicaid.gov/medicaid/downloads/Adults\\_with\\_IDD\\_State\\_Spotlights.pdf](http://www.medicaid.gov/medicaid/downloads/Adults_with_IDD_State_Spotlights.pdf).

## Planning Council Seeking Proposals On DEI

The New York State Developmental Disabilities Planning Council (DDPC) is seeking proposals for the creation and implementation of an expanded statewide Community of Practice (CoP) on Diversity, Equity and Inclusion (DEI) in Developmental Disabilities.

The NY CoP will be comprised of an advisory group and a minimum of five regional teams who will meet regularly and receive training on DEI. The teams will include primarily DD provider agencies and Care Coordination Organizations (CCOs) that deliver direct services to people with developmental disabilities.

The selected grantee will meet with the advisory group to get input on the project and convene the regional teams to provide ongoing training

and technical assistance. The grantee will also offer larger DEI training opportunities, open to professionals, families and self-advocates in the developmental disabilities field, beyond the regional teams.

Additionally, the selected grantee will create and maintain a website for the project to house DEI resource materials and training developed by the grant project. The available funding for this opportunity is up to \$150,000 per year for up to five years.

Eligible organizations include nonprofit organizations (note: the lead applicant cannot be a for-profit organization; however, for-profit organizations may serve as subcontractors to the lead applicant); public or private institutions, such as universities, colleges or hospitals; disability-ser-

vice organizations; community-based organizations; tribal organizations; and consortia, groups or partnerships among organizations.

Applications directly from individuals will not be accepted. Only nonprofit organizations may apply.

An applicant must be a reg-

istered vendor in the NYS Statewide Financial System (SFS). Proposals received from eligible applicants who have not been registered will be disqualified.

The deadline to apply is July 7. Information is available by visiting [www.ddpc.ny.gov/funding](http://www.ddpc.ny.gov/funding).

## FCC Extends Waiver For NAB

The FCC has released an order to extend for 18 months an existing waiver of the requirement that television broadcasters aurally describe visual but non-textual emergency information, such as maps or other graphic displays.

This order grants in part the petition submitted by the National Association of Broadcasters (NAB) subject to conditions that must be met during the waiver period.

Specifically, during the waiver period, NAB must sub-

mit quarterly reports to the commission describing the extent of the broadcasters' continued need to invoke the waiver; NAB's efforts to work with the disability community and broadcasters to develop and use standards in ensuring that the critical details of non-textual images displaying emergency information are provided; and efforts to develop automated technical solutions.

This waiver will remain in effect until Nov. 26.

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# Looking At The ADA At

By Allison Howe

**T**he Americans with Disabilities Act (ADA) is a federal civil rights law that prohibits discrimination against people with disabilities in everyday activities, guaranteeing they have the same opportunities as every other American in areas of employment, services, government programs, recreation, education, transportation, housing and public spaces.

As the country commemorates the 33rd anniversary of the ADA, many will reflect on some of the recent advancements which further the rights and protections of people with disabilities.

Justin Dart, a wheelchair user who is widely considered the Father of the ADA, began working towards new sweeping legislation for the disabled in the 1980s. The project was spearheaded by Sen. Tom Harkin (D-Iowa), who worked with many other prominent leaders of that time to author the ADA.

On July 26, 1990, George H.W. Bush signed it into law on the Whitehouse lawn, with Dart on the stage beside him. Just before signing the bill, Bush said "Let the shameful wall of exclusion finally come tumbling down."

"The ADA is a landmark commandment of fundamental human morality," said Dart. "It is the world's first declaration of equality for people with disabilities by any nation.

"It will proclaim to America

and to the world that people with disabilities are fully human; that paternalistic, discriminatory, segregationist attitudes are no longer acceptable and that henceforth people with disabilities must be accorded the same personal respect and the same social and economic opportunities as other people."

In November 2022, the Department of Justice (DOJ) launched a new and improved version of the website [www.ADA.gov](http://www.ADA.gov), which was updated to make it easier for the public to understand their rights and comply with the law. The site is now designed to help people more easily and effectively find information, written in plain language.

"The Civil Rights Division is taking an important step forward by providing information about the ADA in a format that is more tailored to the needs of the people seeking this information," said Assistant Attorney General Kristen Clarke of the division. "As we continue our work to increase compliance with the ADA, the department is committed to helping people with disabilities understand their rights and to helping those who have obligations under the ADA understand their responsibilities."

## Reeves Freedom Act

In April, Sen. Michael Bennet (D-Colo.) led 16 Senate colleagues to reintroduce the Latonya Reeves Freedom Act, which is meant to strengthen the U.S.

Supreme Court held *Olmstead* decision, affording people with disabilities the right under Title II of the ADA to receive long-term supports and services in a setting of their choice in their community.

The bill is named for Reeves, who in 1991, fled a nursing home facility in Tennessee to move to Colorado so she could live independently while still getting the care she needed. She then made it her mission to help others like herself live independently within their own communities.

"Like too many other Americans with disabilities, Latonya Reeves was institutionalized for years and unable to exercise her constitutionally-protected freedom to live on her own, until she moved to Colorado," said Bennet. "This bill honors Latonya's legacy of fighting for others by ensuring that people with disabilities can live independently and still access the care they need."

"With the shift in the Supreme Court, it is clear that civil rights must be underpinned by something more than a court decision," said Dawn Russell, an ADAPT activist. "At some point, the Supreme Court will revisit the *Olmstead* decision and could wipe out decades of progress in shifting from institutional placement to supporting seniors and people with disabilities in the community.

"So now, more than ever, we need the Latonya Reeves Freedom Act to ensure that Disabled people and seniors have an enforceable civil right to disability freedom."

## Effects Of Pregnancy

In December 2022, the Pregnant Workers Fairness Act (PWFA) was signed by Pres. Joe Biden. The legislation, which went into effect on June 27, is a new law that requires covered employers to provide reasonable accommodations to a worker's limitations related to pregnancy or childbirth medical conditions, unless the accommodation will cause the employer an undue hardship.

The PWFA applies only to accommodations. Existing laws al-

ready make it illegal to fire or discriminate against these workers. The new law does not replace federal, state or local laws that are more protective of workers.

Covered employers include those in the private and public sector who have at least 15 employees. Some examples of reasonable accommodations may include receiving a closer parking, flexible hours, appropriately sized uniforms and safety apparel, additional break time, time off to recover from childbirth, and excusal from activities that are strenuous and/or involve exposure to unsafe compounds.

According to the Equal Employment Opportunity Commission (EEOC), while pregnancy itself is not a disability under the ADA, some workers may have one or more impairments related to their pregnancy that does qualify as a disability under the ADA, as an impairment's cause or likelihood that it is temporary is not relevant in the determination. A few examples are pregnancy-related diabetes, anemia, sciatica and carpal tunnel syndrome.

## Communications

The Federal Communications Commission (FCC) recently created a proposal that would now require video conferencing platforms such as Zoom and Microsoft Teams to be accessible under the Communications Act. There is also a proposal to amend part 14 of the FCC rules to enhance accessibility of interoperable video conferencing services such as speech-to-text, text-to-speech and enabling American Sign Language (ASL) interpreting.

## Locally

Recently, New York Gov. Kathy Hochul signed legislation meant to strengthen the rights of New Yorkers with disabilities.

S.7107b/A.8586b recognizes supported decision-making as a less restrictive alternative to guardianship, which promotes autonomy for people with intellectual and developmental disabilities (IDD), meant to empower them to take an active role in making choices about their own lives.

S.6300c/A.7356c requires that the Office of People with Developmental Disabilities (OPWDD)



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# 33 Years

will develop and implement a public awareness campaign that combats stigma and stereotyping of people with IDD.

The program will utilize public forums, social and mass media, the internet, radio and print advertising to educate the public about IDD and highlight positive contributions these people make to their communities.

A.7882a/S.6789a replaces references to “mentally retarded” in numerous sections of New York state law to more accurate terms such as “individuals with IDD.”

A.7652/S.9335 eliminates the state residency requirement for designated beneficiaries in the New York Achieving a Better Life Experience (ABLE) program, which is designed to help pay for qualified disability expenses.

Conforming state law with the federal ABLE Act is meant to increase participation in New York’s ABLE program, lower administrative costs and benefit program account owners.

Additional N.Y. State legislation increases enforcement of rules

related to disabled access parking spaces (A9805 /S882) and increases fines for dumping or plowing snow onto accessible parking places (A9702B /S 1271-B).

## Colleges And Universities

The DOJ’s ongoing effort to remind people of their obligations under the ADA, includes a letter they sent out in May, in conjunction with the Department of Education (DOE), reminding colleges, universities and other postsecondary institutions of their responsibility to make sure that their online services, programs and activities are accessible. This joint letter reiterates that Title II of the ADA and Section 504 of the Rehabilitation Act requires them to provide equal opportunities to people with disabilities in all their operations.

In December 2022, the U.S Attorney’s Office for the District of New Jersey reached a settlement agreement under Title III of the ADA with Educational Testing Service (ETS) regarding multiple allegations by individuals with disabilities that ETS did not provide testing accommoda-



Pres. George Bush passes a pen to Rev. Harold Wilke at the signing of the ADA in 1990. Wilke, born without arms, accepts the pen with his foot. Sharing the dias are, standing, Vice Pres. Dan Quayle, and Sandra Parrino, National Council on Disability. Seated, left to right, are Evan Kemp, Equal Opportunity Commission and Justin Dart.

tions. The agreement mandates that ETS must establish revised policies, practices and procedures; train staff and online proctors; and pay compensatory damages to the complainants.

In November 2022, the U.S. Attorney’s Office for the Southern District of New York entered into a settlement agreement with New York University (NYU) pursuant to Title III of the ADA. The settlement agreement resolves a compliance review regarding NYU’s accessible housing at various campus housing facilities.

The agreement increases the accessibility of all its student housing facilities in the New York metropolitan area. NYU has agreed to prepare a plan where it will survey and make alterations to its student housing facilities within five years, update its housing emergency preparedness plans and improve the accessibility information about student housing on its website.

## Connecticut Marina

In January, the U.S. Attorney’s Office for the District of Connecticut reached a resolution under Title II of the ADA with the Town of Greenwich, Conn., to address physical inaccessibility at the Byram Marina facility. The agreements include improving the accessibility of designated boat slips and the routes to those slips, as well as other accommodations designed to increase access for the disabled.

## Paratransit

The department notified the New York City Transit Authority (NYCTA) that its Access-A-Ride

paratransit program violates Title II of the ADA in a letter of findings issued in October. The paratransit service engages in operational patterns or practices that significantly limit the availability of service to ADA paratransit eligible patrons, including significant untimely drop-offs and excessive travel times. That letter demanded that the NYCTA address the violations identified by taking corrective actions, including establishing performance standards for on-time drop-offs and trip length, collecting and maintaining data on requested drop-off times, and conducting analysis of on-time drop-off and travel time performance.

## Today

“Thirty three years ago we tried to imagine what the country would be like decades later,” said United Spinal’s James Weisman, a key negotiator with members of Congress in drafting and supporting the passage of the ADA.

Compliance has become routine in new buildings but the employment numbers are still poor. The benefits system, which, in many ways, incentivizes people with disabilities to stay out of the labor force coupled with discrimination are the primary reasons.

“For more than 60 million Americans living with disabilities, the ADA is so much more than a law,” said Pres. Joe Biden during an ADA speech. “It’s a source of opportunity, participation, independent living, respect and dignity, the bulwark against discrimination and a path to independence.”

## ADA TITLES

The Americans with Disabilities Act (ADA) covers a wide array of protections, which are broken down into five titles.

**Title I** mandates that employers with 15 or more employees provide equal opportunities and reasonable accommodations to workers in regard to hiring, promotions, retention and wages. The Equal Employment Opportunity Commission regulates and enforces this title and can be contacted if there has been discrimination.

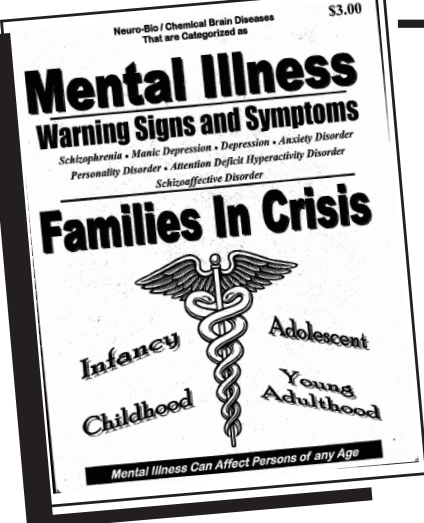
**Title II** prohibits discrimination on the basis of disability by public entities such as state and local government agencies, requiring them to make their programs, services and activities accessible. This includes public transportation. It is regulated and enforced by the Department of Justice.

**Title III** prohibits discrimination by private entities such as hotels, restaurants, retail merchants, doctor’s offices, recreational venues, private schools, health clubs and private transportation companies. This is regulated and enforced by the Department of Justice.

**Title IV** covers telecommunications. Telephone and Internet companies must provide a nationwide system of relay services that allows individuals with hearing or speech disabilities to communicate. It is regulated by the Federal Communication Commission (FCC).

**Title V** includes miscellaneous provisions which contain a variety of disabilities and areas relating to the ADA as a whole, including its relationship to other laws, state immunity, its impact on insurance providers and benefits, prohibition against retaliation and coercion, illegal use of drugs and attorney’s fees.





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# CDPAANYS EDITORIAL

## Budget Outcome

**BY BRYAN O'MALLEY, EXEC. DIR. CDPAANYS**



**T**he last day of the 2023 legislative session was Friday, June 9. How did CDPA and home care fare?

Because so much of our agenda is concentrated on improving eligibility and funding for community-based long-term care and Medicaid, much of our work each year is focused on the annual budget.

This year was no different. The budget dominated the news and the Legislative session, as it was more than a month late. While budget extenders, which make sure the state can pay its bills while we await the new budget, meant this did not matter much in the long-term, it did mean there was less time dedicated to passing other laws.

Overall, the Governor and Legislature failed home care and CDPA this year. Fair Pay for Home Care suffered a setback during the budget. After two years of tremendous progress that saw us win a \$3.00/hour increase for workers, an increase Gov. Hochul described as “just a start” during her gubernatorial campaign, we returned this January ready to see it to completion.

Overall, the Governor and Legislature failed home care and CDPA this year. After last year, when we won a \$3.00/hour increase for workers over two years, we were hopeful for bigger and better victories.

This hope was increased when Gov. Hochul described that increase as “just a start” during her gubernatorial campaign.

That hope was dashed when the Governor released her budget, and we found out that, despite her promises, she planned on returning home care to a minimum wage job. Worse, she wanted to get rid of a law that required extra wages and benefits of \$4.09 in New York City and \$3.22 in Long Island and Westchester – and only for workers in CDPA. While we beat the worst of these cuts, the final budget delayed the wage increase by three months.

Further, while increasing the wage by \$1.55, the budget paid for that increase by cutting the previously mentioned required wages and benefits by \$1.55, effectively making home care workers pay for their own wage increase.

Not even common sense legislation that would have held insurance companies accountable for passing the three-quarters of a billion dollars they got from the state through to agencies, so that they could pay workers the increased rate without cutting benefits, overtime or even facing bankruptcy, went through.

Despite having no cost, this idea was stopped in both the budget and the post-budget legislative seasons meaning that the state will continue to allow the companies to reap windfall profits on the backs of home-care workers and the older and disabled New Yorkers who rely on them.

Despite these setbacks, we did have a significant victory at the end of the year when both houses passed legislation that gives consumers information about how managed care plans behave, so that you can make informed choices when forced to choose a plan.

This legislation, which will be sent to the Governor for a signature, which will make it law, or a veto, will require the Department of Health to post information they already re-

**Continued on page 19**






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### **SUFFOLK INDEPENDENT LIVING ORG.— Come Celebrate The ADA**

**O**ver the past year, Suffolk Independent Living Organization (SILO) has helped thousands of individuals with disabilities throughout Long Island. This summer marks the 33rd Anniversary of the signing of the American Disabilities Act (ADA), which ensures the protection of the civil rights of people with disabilities. Please join SILO as we celebrate this milestone with local social service agencies, educators, advocates, families, and friends. This free event will take place on Friday, July 21, 2023, from 11 a.m. to 2:30 p.m. at 3253 Route 112, next to bldg. 10, in Medford, New York, NY 11763. If you have any questions, please call 631 880-7929 x116. Sponsorship opportunities are available. We look forward to having you join us!

**Ldelgado@siloinc.org • [www.siloinc.org](http://www.siloinc.org)**

All are welcome to join SILO in  
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(Americans with Disabilities Act)

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BrandowLaw recommends everyone aged 18 and older, who is capable of understanding decision making, have a health care proxy, living will, power of attorney, and if needed, an educational release form.

These documents allow a person to state their wish-

es for specific medical treatments and name agents to act on their behalf for financial, educational, and healthcare matters if they're ever unable to do so themselves.

Advance care planning is necessary for peace of mind. We encourage you and your adult children to discuss your wishes with each other and an attorney.

If your loved one cannot understand the daily functionalities of financial and medical decisions, you may want to consider guardianship. As a court-appointed guardian, you would be able to assist in making sure the person is receiving the desired medical care and that their financial needs are being met.

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- Discover transportation options
- Learn about caregiver supports
- Get answers about Medicaid, Medicare, and health insurance
- Apply for benefits
- Learn housing options

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### Locations and Partners

**Center for Independence of the Disabled, NY Manhattan**  
1010 Avenue of the Americas, Suite 301  
New York, NY 10003

**Queens**  
80-02 Kew Gardens Rd, Suite 400  
Kew Gardens, NY 11415

**Community Health Action of Staten Island (CHASI)**  
56 Bay St, 4th Floor  
Staten Island, NY 10301



**Bronx Independent Living Services (BILS)**  
4419 Third Ave, #2C  
Bronx, NY 10457



## CENTER FOR INDEPENDENCE OF THE DISABLED, N.Y.

### CIDNY Spotlights NY Connects Program

The NY Connects program at the Center for Independence of the Disabled, NY (CIDNY) is a free, trusted place to go for information about services and resources that support people with disabilities across every borough of NYC.

We work with New Yorkers of all ages and with any type of disability whether they live at home, in a nursing home, or another residential setting. Our counselors help people with disabilities make informed decisions about short term and long term services and support options including help with benefits enrollment.

And, we make sure that people are directly connected with the resources they

need to achieve and maintain their independence. One new focus throughout 2023 is a focus on ensuring access to vaccinations. We are working with partners to ensure older adults and people with disabilities have easy and no cost access to vaccines like flu and COVID-19 vaccines.

At CIDNY we've been helping people with disabilities live their lives independently in the community for forty years. Programs like the NY Connects allow us to do this.

If you are or know a person with a disability, we're here for you. Please reach out to us.

To learn more about CIDNY and the NY Connects program, please visit us online at [www.cidny.org/nyconnects](http://www.cidny.org/nyconnects).

[www.cidny.org/nyconnects](http://www.cidny.org/nyconnects)



# PRODUCT & SERVICE GUIDE

## LIGHTHOUSE GUILD

### Exceptional Services

Lighthouse Guild provides exceptional services that inspire people who are visually impaired to attain their goals. Our Health Center takes a multidisciplinary approach to healthcare offering eye exams, occupational therapy, primary care and diabetes care (including endocrinology and podiatry).

Our Diabetes Services includes an American Diabetes Association-accredited self-management education program. Our endocrinology specialists help manage diabetes and provide individual and group sessions that teach practical techniques to maintain health.

As part of our Low Vision Rehabilitation Services our vision specialists evaluate the level of vision loss and recommend tools and exercises to help people read, work, socialize and enjoy other activities.

Our Vocational Rehabilitation and Technology Services enable individuals to attain their goals, whether that be to work, to go to school, to shop or to navigate their community. A multidisciplinary team offers occupational therapy, training in assistive technology, orientation and mobility, activities

of daily living, college preparation and career services.

Dorothy Strelsin Behavioral Health Clinic operates the only behavioral health center in the U. S. for people who are visually impaired or at risk for vision loss. Services include individual therapy, couples and family counseling and group therapy.

Our national Tele-Support Network enables parents of children with vision impairment as well as teens and adults with vision loss to connect with their peers to share resources, experiences and support.

Our Adult Day Health Care (ADHC) is the only such program in New York State specializing in care for people with vision loss.

The program includes nursing care, two meals a day, physical, occupational and speech therapy as well as social and therapeutic activities and vision rehabilitation.

We provide support for students with vision impairment to prepare for life after high school in a career or college by offering counseling and advanced computer and technology training.

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### Did You Know?

**One-third of older adults who are visually impaired experience clinically significant symptoms of depression and anxiety.**

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Our webinar, **Psychiatric Care of Persons with Vision Loss and Blindness**, provides mental health professionals and caregivers of older adults with vision loss with an understanding of the bidirectional relationship between vision loss and mental health.

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# PRODUCT & SERVICE GUIDE

## Avoid Choking Tragedies

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## EQUAL FIRST AID

### Avoid Chocking Emergency

**E**qual First Aid is a not for profit 501 (c) (3) organization. The organization was formed to advocate and raise awareness for people who are disabled or who are in a wheelchair during a choking emergency. Currently, there are no public measures in place to rescue a person in a wheelchair with an obstruction. Additionally, techniques such as back blows, ab-

dominal thrusts and chest compressions may be ineffective or unable to be done. **NO OPTION IS NOT AN OPTION.** All people deserve a chance to be rescued in the event of a choking emergency.

We ask that you reach out to your local State Representative with your support for airway clearance devices to be implemented in schools and all disability communities.

[www.Equalfirstaid.org](http://www.Equalfirstaid.org)

## INDEPENDENCE CARE SYSTEM

### Expanding To Richmond County, Staten Island

**I**ndependence Care System (ICS), a recognized leader in disability-expert care and the first and only Health Home program in New York State with specialized expertise in supporting people with physical disabilities, is expanding its coverage area for essential services to include residents of Richmond County, Staten Island.

adults with physical disabilities, ensuring they receive critical services and equipment to enhance their health, mobility and independence. The first phase of ICS' expansion focuses on Richmond County — an area where adults with physical disabilities have long expressed great interest in accessing ICS' services.

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To learn more about the ICS Health Home, email [CommunityEngagement@icsny.org](mailto:CommunityEngagement@icsny.org),

**646 653-6230 or visit [www.icsny.org](http://www.icsny.org).**

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# Act Would End Giveaways To Insurance Companies

State Sens. Rachel May and Gustavo Rivera, and Assemblymember and Health Committee Chair Amy Paulin have announced the introduction of the “Home Care Insurance Accountability Act” (A7335/S06963) to stop state giveaways of home care funding to private insurance companies.

For the past ten years, New York State has paid for home care by sending funding to managed-long-term care plans, or private insurance companies, which handle payment to the home care sector. The State does not require insurance companies to pay

home care agencies enough funding to meet their costs – instead allowing insurance companies to keep hundreds of millions of dollars in profit.

In 2021, the insurance companies responsible for paying the home care sector pocketed \$720 million in profit. This represented a 5.5 percent profit margin – double the national profit average for similar Medicaid-managed care plans. When home care wages increased by \$2 in October, private insurance companies sent home care agencies as little as a 20-cent increase to cover the wage increase. As a result, many

home care agencies are forced to reduce or cut services; in a late 2022 survey, 75 percent of home care agencies reported not receiving enough reimbursement to cover increased payroll costs.

The bill would establish a regional minimum reimbursement rate and hold insurance companies accountable by requiring them to either pay home care agencies a set amount determined by the Department of Health, or to justify why they are failing to do so.

The Senate and Assembly One-House Legislative Budget proposals both supported providing the comptroller oversight of insurance company contracts, along with additional methods of holding the insurers accountable for home care fund distribution; the final budget did not include contract oversight or minimum reimbursement rate requirements.

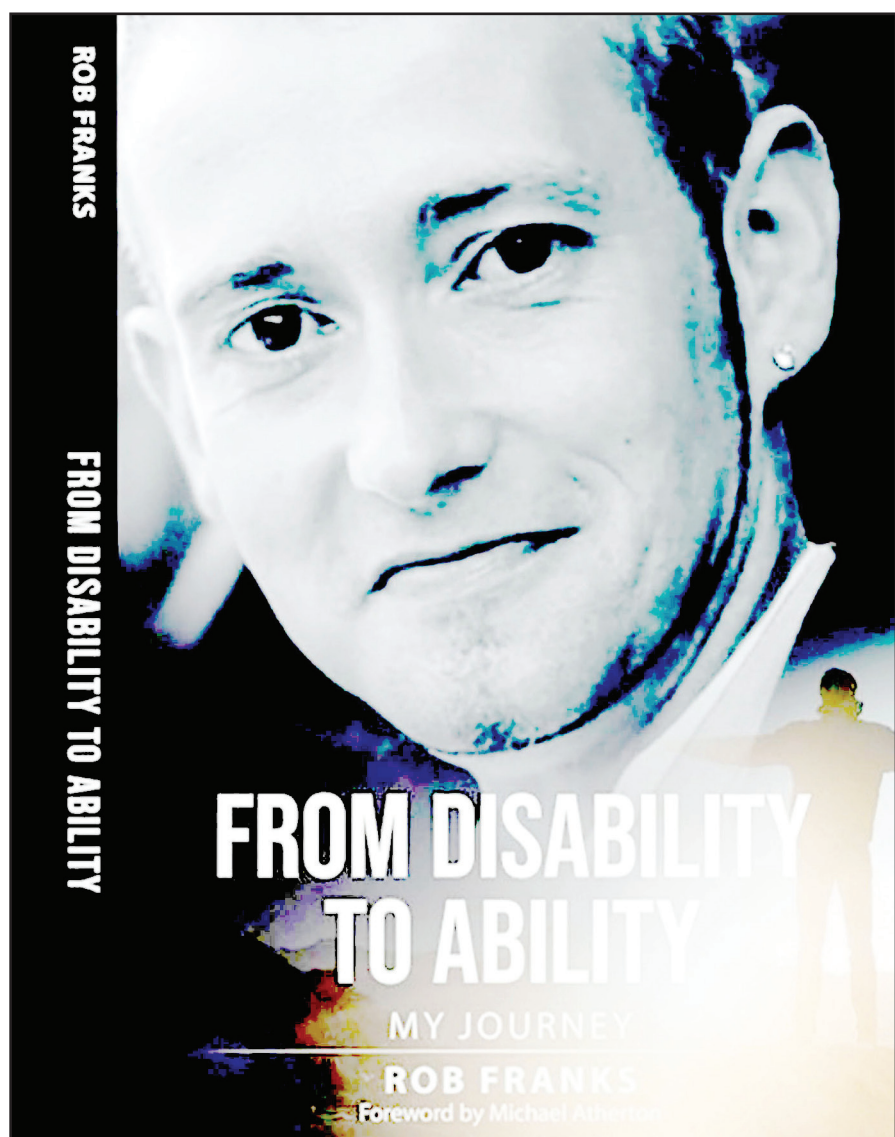
“Last year, New Yorkers made the single largest investment in home care wages by any state, ever,” said State Sen. Rachel May. That

investment of public money is meant to pay home care workers a dignified wage, in order to help consumers and working families recruit and retain the aides they so desperately need. Unfortunately, we have spent much of the last eight months fighting to ensure the money flows as it was meant to.

“This bill, introduced by my colleagues Sen. Rivera and Assemblymember Paulin, will take a major step toward meeting that goal. We must mandate transparency and consistency in providing wages and benefits so no middle men can profit at the expense of home care workers and consumers.”

The Assembly bill is co-sponsored by Assemblymember Karines Reyes, David Weprin, Linda Rosenthal, Sarahana Shrestha, Jeffrey Dinowitz, Harvey Epstein, Andrew Hevesi, and Jo Anne Simon. The Senate bill is co-sponsored by Cordell Cleare, Leroy Comrie, Shelley Mayer, Julia Salazar, and James Skoufis.

## ‘From Disability To Ability’ Published



“From Disability to Ability,” by cricketer Rob Franks immerses readers in his inspiring life story. The book tells how the chronic pain he suffered 24/7 as a result of a bone tumor removed from his leg, led him to proactively make the decision to have his leg amputated.

In a tale of fortitude, resilience and a desire to live life to the fullest, this uninhibited memoir recounts the chain of events that prompted Franks’ unusual decision, the crowdfunding required to fund the operation (as the NHS deemed it unnecessary), and the challenges faced embracing his new physical situation.

Now free of pain, he is back doing what he loves most – playing cricket as a member of the England Disability team.

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# Able Reporter Displays Many Talents

Those who read *Able Newspaper* regularly, might recognize the name David Block. He has written a number of articles for this publication including pieces on the Paralympics.

But there is so much more to the 59-year-old Block of Ardmore, Pa. He has made eight documentaries, many of which focus on people with disabilities overcoming adversity.

Some of his works have won film festival awards and have been televised nationwide. As a freelance reporter, he landed interviews with high profile people such as Kobe Bryant, former Philadelphia 76ers basketball coach Brett Brown, Sarah Palin's parents and Bill Cosby, to name a few.

Block also spent 11 years writing and completing his first book, "Understanding The 613 Mitzvot (2021)," a text to help people to better understand the Five Books of Moses from the Old Testament. Block's book was displayed at the *L. A. Times* Book Festival this past April.

Block is legally blind, is on the Autism Spectrum and suffers from anxiety and depression. He has had to cope with these disabilities his entire life, but says he is always too busy to allow these inconveniences to stop him.

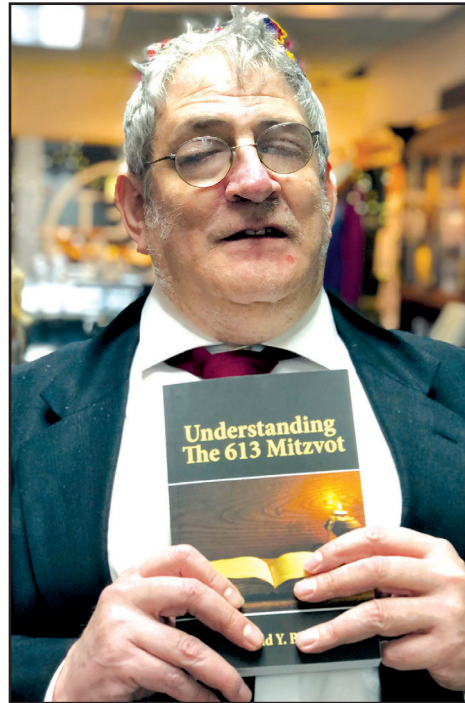
He is currently focused and somewhat frustrated as he is struggling to finish his ninth documentary and his second book.

"I want to finish them before I turn 60 this October," said Block.

Block's ninth film will be about his late blind African American friend, John Sutton who had been a street singer for more than 30 years. His second book will consist of five stories that focus on people struggling with blindness and its daily challenges.

"Some of those stories are very depressing," said Block. "They will not make you feel good, but these stories need to be told."

Block has had his own set of challenges. Throughout high school, college and graduate



David Block

school, he always had to prove to teachers and peers that his disabilities did not mean inability.

Even though he earned his B.A. in History at Bard College in Annandale, N.Y., in 1988 and his masters' in Journalism at Temple University in Philadelphia, Pa., in 2017, he some-

times believes that people see his shortcomings and disabilities before they see him.

"People still ask how can I do this and do that if I can't see well?" Block said. "Sometimes, I get tired of always having to explain how people with disabilities can still accomplish difficult things if they are determined enough."

Another recent project that Block is proud of is that he taught journalism to night-school students this year and last.

"I loved teaching that class," said Block. "I like how after the first week my disabilities are no longer an issue. The issue becomes getting my students to practice their writing and to read what I assign them to read. Some of my students were nervous about writing pieces, so I had to work with them on building their confidence," and building his own confidence seems to be the story of David Block's life.

To learn more about Block, visit his website, [www.blind-filmmaker.com](http://www.blind-filmmaker.com).

## Creating Science Access Tools For Students With Visual Impairments

Leaders at Independence Science and ViewPlus Technologies have announced a collaboration to develop new science access tools for people who experience blindness or low vision.

Mike Hingson, spokesperson for Independence Science, said ViewPlus Technologies will leverage Independence Science's team of blind scientists to inform product development road maps.

"It is these collaborative efforts between access technology firms that leverage one strength with another to drive innovation to its furthest potential," Hingson said. "We will develop products that blind people want."

Dan Gardner, CEO of ViewPlus Technologies, said, "We look forward to making STEM more accessible for all through this collaboration and ushering in a day when everyone can participate equally in STEM subjects in an inclusive way."

ViewPlus Technologies has developed cutting-edge embossing technology capable of producing multi-dot height,

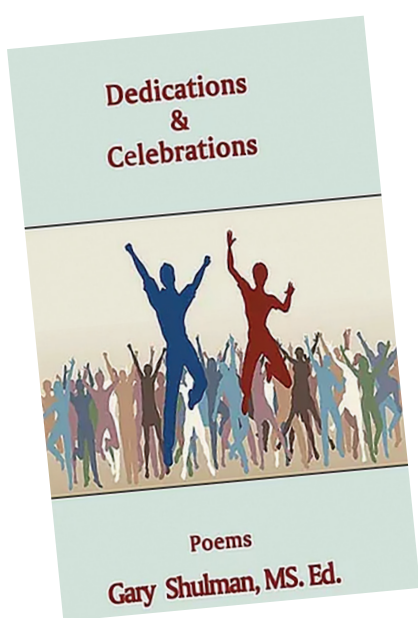
tactile graphic information and Braille on the same page. In addition, ViewPlus offers a range of products that supports the use of ink for standard text and graphics, providing a more equitable collaboration experience for both sighted and blind and low-vision individuals. By allowing the use of the same document, ViewPlus is empowering people to work together more effectively, regardless of their level of vision.

For more than 14 years, Independence Science has designed products that make STEM laboratory equipment inclusive. One is the Talking LabQuest, which presents graphical information to users in two ways, namely, sonification, which provides information to users in an auditory way, and transmission of graphic information to the ViewPlus Braille embosser line of products.

The companies expect to see a working prototype of a new STEM education product that Beta testers can evaluate within a short time.

## Dedications & Celebrations

Poems by Gary Shulman, MS. Ed.



Gary Shulman's book, *Dedications & Celebrations* is a book that encourages us to remember and celebrates those people and pets in our lives that enhanced our lives while they were passengers here on earth.

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# NOD Project Examines 'Campus To Careers'

A new report released by the National Organization on Disability (NOD) and The Burton Blatt Institute finds employers reporting significant difficulties identifying and recruiting students and recent graduates with disabilities.

At the same time, those students with disabilities are faced with challenges long before they even begin to look for work. This was the motivation to launch NOD's innovative Campus to Ca-

reers Demonstration Project.

The Campus to Careers Project, supported by lead funder The Coca-Cola Foundation, and in partnership with the University of Massachusetts Medical School's Work Without Limits Initiative, has served as a living laboratory to test, evaluate and share ideas and strategies among dozens of employers, universities, colleges, and students.

The findings provide practical recommendations, in-

cluding checklists and video assets, for employers and universities to understand the challenges employers experience in engaging students with disabilities; the obstacles students with disabilities experience in transitioning into their chosen field; and the important role career and disability services play on campus.

"Recruiting college talent is becoming more competitive every year, and employers need a solid strategy to com-

pete for skilled and diverse graduates," said NOD President Carol Glazer. "A productive recruitment strategy requires a dedicated commitment and can take some time to develop, but employers will see a return on investment by including people with disabilities who have incredible talent in their employment process."

As part of this project, NOD and its partners met with college and university

**Continued on page 18**

## SUNY Cortland Lauded For Focus On Special Ed

SUNY Cortland has been recognized by BestAccredited-Colleges.org for its focus on special education, being named the third best school in the United States on the organization's list of "Best Bachelor's In Special Education Degree Programs."

The rankings website says that it uncovers the true value offered by schools by using criteria that go beyond the name recognition and prestige of higher education institutions. Among the traits that Better Accredited Colleges considers, are accessibility, quality of education, affordability and return on investment.

Associate professor Maria

Timberlake, chair of the foundations and social advocacy department and director of SUNY Cortland's Undergraduate Research Council, isn't surprised by the national success of Cortland's Inclusive Childhood Education program, which offers dual certification in childhood education and special education.

"The strength of our dual certification program (Inclusive Childhood Education) is reflected in our department name, foundations and social advocacy," Timberlake said. "FSA means that we teach disability as a natural part of being a human and prepare our students

to understand that their classroom will be filled with a wide range of children with varying strengths and identities."

The department also offers courses in multicultural and urban education, the role of gender in schooling and the relationship between schools and society.

Emma Trulock '22, an inclusive childhood education major who is now a special education teacher at F.E. Smith Interme-

diate School in Cortland, said the university is highly effective in preparing her for her career.

"I think the emphasis on inclusion and having an inclusive mindset is a great part of the inclusive childhood education program that you don't see everywhere ... strong pedagogy with placements in local schools for hands-on experience, so our graduates are ready to teach in any New York school district."

## Celebrating Rehabilitation Act

The Office of Disability Employment Policy has chosen "Advancing Access and Equity" as its theme for National Disability Employment Awareness Month in 2023.

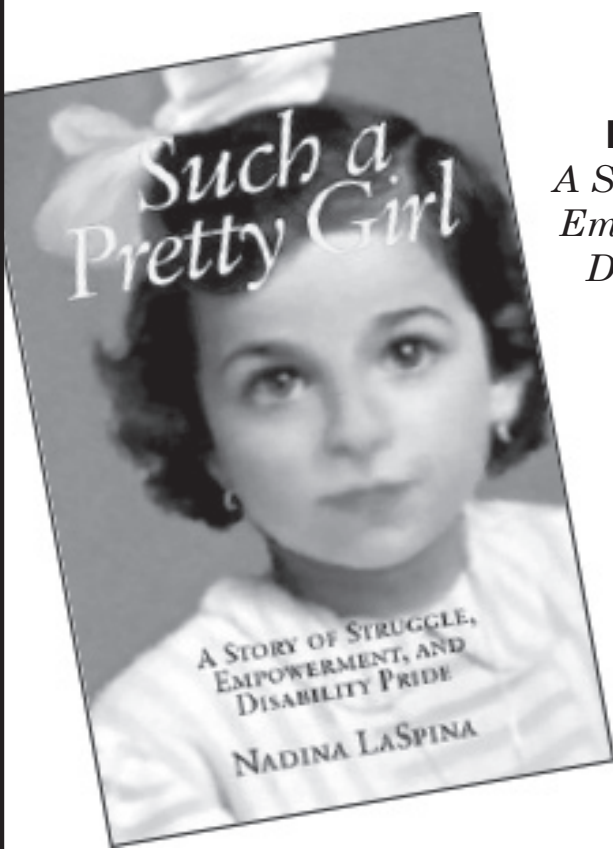
Observed each October, NDEAM celebrates the contributions of America's workers with disabilities past and present, and showcases supportive, inclusive policies and practices that benefit employees and employers alike.

Similarly, ODEP will use "Advancing Access and Equity: Then, Now and Next" to celebrate the passage of the Rehabilitation Act 50 years ago and its importance in prohibiting discrimination based on disability in employment by federal agencies, federal contractors and recipients of federal funds, and in the delivery of federally

funded programs and activities.

"National Disability Employment Awareness Month reminds us of the valued contributions people with disabilities make in our nation's workplaces, and the 50th anniversary of the Rehabilitation Act of 1973 marks a major milestone in our nation's ongoing quest to advance access and equity for all Americans," said assistant secretary for disability employment policy Taryn Williams. "From now through October, we will be exploring the act's impact on everything from employment to community living to non-discrimination to accessible technology."

The Rehabilitation Act laid the foundation upon which the more comprehensive Americans with Disabilities Act of 1990 now stands.



**"Such a Pretty Girl"**  
*A Story of Struggle, Empowerment and Disability Pride*

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**Nadina LaSpina, a disability rights activist tells the story of her liberation from oppressive standards of normalcy, showing that freedom comes not through cure, but through organizing to end exclusion from public and social life.**



# INFORMATION FORUM

## WEBINAR AVAILABLE ON ACCESSIBLE TOILET ROOMS

The U.S. Access Board's webinar on accessible toilet rooms in the Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA) Standards, can be accessed in the archives.

This webinar addressed accessibility requirements for single-user and multi-user toilet rooms, including those for water closets, toilet compartments, urinals, lavatories, signage, clearances, maneuvering space, and amenities, such as baby-changing tables.

This webinar included video remote interpreting (VRI) and real-time captioning. The webinar series is hosted by the ADA National Network in cooperation with the Board. Other archived copies of previous webinars are available at [www.accessibilityonline.org](http://www.accessibilityonline.org).

## ADA AND ABA STANDARDS FOR TRAVEL INDUSTRY ADDRESSED

The next webinar in the U.S. Access Board's free monthly series will take place from 2:30 to 4 p.m., Thursday, July 6.

It will address requirements in the Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA) Standards for hotels, motels and more.

Presenters will discuss the required number and dispersion of compliant guest rooms and suites with mobility and communication features as well as accessibility requirements for guest accommodations, such as sleeping areas, bathrooms, kitchens and kitchenettes, storage, signage, fire alarms and phones. Check-in counters, fitness centers, swimming pools and spas, bars and restaurants and conference rooms, will also be covered.

Information and registration can be done by visiting [www.accessibilityonline.org/training](http://www.accessibilityonline.org/training). Archived webinars are available on their site.

## A SPEAKER ON PATIENT SAFETY AND ADVOCACY AVAILABLE ON REQUEST

Those in need of speakers for their organization can look to the Pulse Center?

Pulse Center for Patient Safety Education & Advocacy is available in person or via Zoom. Those interested should contact the center at 516 579-4711.

The organization will arrange for a speaker to present on any of a number of topics around patient safety, becoming a patient advocate or preparing to be a patient.

They will also put a panel together for them on a number of topics.

## U.S. ACCESS BOARD HOLDS VIRTUAL TOWN HALL MEETING

The public is welcome to virtually attend the U.S. Access Board's in-person public town hall meeting at the national headquarters of the National Federation of the Blind in Baltimore, Maryland from 1:30 to 3:30 p.m., on Tuesday, July 25. Virtual attendees may only listen and not comment.

The board will hear from the local community about the state of accessibility in Baltimore and the D.C.-Maryland-Virginia area. Representatives from the Maryland governor's office will be present.

The Zoom livestream link is [www.zoomgov.com/j/1616172171](http://www.zoomgov.com/j/1616172171). Meeting ID is 161 617 2171 and the passcode is 067497.

## SPECIAL ED LAW & ADVOCACY TRAINING AVAILABLE IN NOV.

Special Education Law & Advocacy Training with Pete Wright, Esq is scheduled for 9 a.m. to 4:30 p.m., Nov. 2 at the Holiday Inn, 1730 N. Ocean Ave., Holtsville.

Attendees will leave this training with the knowledge, tools and materials necessary to ensure every child is receiving the best education possible.

Your attendance includes three books, "Special Education Law, 3rd Edition," "From Emotions to Advocacy, 2nd Edition," and "All About IEPs" in the \$155 registration fee (\$175 after July 20). Breakfast and lunch as well as pens and highlighters will be provided.

Information and registration may be done by visiting [www.mountsinaisepto.com](http://www.mountsinaisepto.com).

## 508 BEST PRACTICES WEBINAR SET FOR JULY

The next webinar in the U.S. Access Board's Section 508 Best Practices Webinar Series will take place Tuesday, July 18 from 1 to 2:30 p.m. (ET) and will highlight policies and strategies employed by the Social Security Administration, Veterans Administration, and the Federal Deposit Insurance Corporation that may be adapted for use by other agencies.

In addition, resources such as the Section 508 Playbook will also be referenced to help agencies, at any stage of their program maturity level, chart a more progressive path forward. Section 508 coordinators, IT specialists, reasonable accommodation specialists, and disability program managers are encouraged to participate.

For more details or to register, those interested should visit Great Lakes ADA Center's A Tale of Three Agencies.- The Section 508 Playbook webpage, <https://www.accessibilityonline.org/cioc-508/session/?id=111062>.

## 'WALK IN THE PARK' FUNDRAISER FOR ALZHEIMER'S SCHEDULED

Be part of the Alzheimer's Foundation of America's Walk in the Park fundraiser, any time between 8 a.m. Saturday, Sept. 9 and 11:59 p.m., Sunday, Sept.10.

Online registration closes at 1:59 p.m., Sunday, Sept. 10.

Walk wherever you are during that period or join the Long Island or New York City walks.

Walk at 1899 Park Blvd., East Meadow from 9 a.m. to 1 p.m., Sept. 9 or at 75 Battery Place, New York City from 9 a.m. to 1 p.m., Sunday, Sept.10.

Information and registration is available by visiting <https://apps.alzfdn.org/afa-walk-2023>.

## NAD TO HOLD TRAINING CONFERENCE IN SEPTEMBER

The National Association of the Deaf (NAD) is launching a new training program for people who are interested in education advocacy.

This training will be provided at the NAD Leadership Training Conference (NLTC) in Albuquerque, N.M., Sept. 21 to 23. The program's purpose is to ensure that every state association and organization has an Education Advocate (EA) trained to promote better policies and laws for deaf education. State associations and affiliate organizations are encouraged to participate.

Attendees will become familiar with special education and disability rights law, state and local education systems, early intervention systems and more. They will be able to attend other NLTC sessions and events.

Information and registration can be done by visiting [www.nad.org/2023-nltc/](http://www.nad.org/2023-nltc/).

## CAMP ANCHOR PLANS 13TH ANNUAL BEACH BALL

The ANCHOR Program Fund, Inc.(APF) recently announced their annual Beach Ball to raise funds for Camp ANCHOR (Answering the Needs of Citizens with Handicaps through Organized Recreation) will be held on Thursday July 20 at the Bridgeview Yacht Club in Island Park.

Camp ANCHOR is a year-round recreation program operated by the Town of Hempstead, and is dedicated to children and adults with disabilities who reside in the Town.

The Camp provides programs after school and on Saturdays in various locations throughout the township during the fall, winter and spring. A six-week summer day camp program located in Lido Beach serves more than 700 children and adults.

The last day to purchase tickets is July 17. For information email [RSVP2APF@gmail.com](mailto:RSVP2APF@gmail.com).



# 45 Athletes Selected For Team USA

After three days of competition at the 2023 U.S. Paralympics Track & Field National Championships, 45 athletes – 29 men and 16 women – were nominated to the 2023 world championships roster that will represent Team USA this summer at the 2023 World Para Athletics Championships. The meet will take place this July in Paris, one year before the world returns for the Paralympic Games Paris 2024. More than 150 athletes competed for a spot.

## Wheelchair Racing

Tatyana McFadden (Clarksville, Md.), 20-time Paralympic medalist leads an accomplished group of women's wheelchair racers that also includes Paralympians Hannah Dederick (Mead, Wash.), Eva Houston (Omaha, Neb.) and Susannah Scaroni (Teakoa, Wash.).

Scaroni, the winner of this year's Boston Marathon, will compete at her fifth world championships.

Dederick and Houston are set for their world debuts.

On the men's wheelchair racing side, Paralympic champion Daniel Romanchuk (Mount Airy, Md.) went unbeaten in the men's T54 events, topping the field in the 100-meter, 400-meter, 800-meter, 1500-meter and 5,000-meter. Three-time Paralympian Brian Siemann (Champaign, Ill.) won all five races in the T53 class to qualify for his sixth world championships.

## Throwing

A world record in the women's shot put F46 propelled DePaul University standout Noelle Malkamaki (Decatur, Ill.) to her first world championship team.

Also in the throwing events is teenager Samantha Heyison (Adamstown, Md.), who impressed in her nationals debut, and three-time Paralympic medalist Cassie Mitchell (Warner, Okla.). Heyison threw an American record in the women's discus F44 and a national title in her shot put event.

On the men's side, Paralympic

champions Jeremy Campbell (Perrytown, Texas) and David Blair (Eagle Mountain, Utah) earned world championship berths. Campbell and Blair have been two of the top ambulatory throwers in the worlds in the past decade.

Paralympic silver medalist Hagan Landry (Delcambre, La.), Paralympic bronze medalist Josh Cinnamo (San Diego, Calif.), 2016 Paralympian Cody Jones (Simi Valley, Calif.) and new national team member Devin Huhta (Battle Mountain, Nev.) round out Team USA's throwing contingent. Landry earned his spot with a 13.70-meter shot put in the men's F41 competition, while Cinnamo's F46 shot put win gives him the opportunity to defend his 2019 world gold medal in the event.

Jones recorded his best javelin throw since returning to the sport after a hiatus.

On the track, Sayers Grooms (Gainesville, Fla.) and Michael Anwar (Spokane, Wash.) are set to make history as the first American Frame Runners to compete at a World Para Athletics championships.

## Long Jump

Eighteen-year-old Paralympian Ezra Frech (Los Angeles, Calif.) qualified for his second world championships team with an Americas Record performance in the long jump T63 and a national title in the high jump. Reigning men's high jump T47 Paralympic champion Roderick Townsend (Stockton, Calif.), who last month broke his own world record, collected national titles in both the high jump and long jump and will make his fourth world championships appearance.

Paralympic silver medalist and University of Southern California jumper Dallas Wise (Columbia, S.C.), along with former University of Central Oklahoma football player Derek Loccident (Oklahoma City, Okla.) will make their world championships debuts after impressing in their long jump events.



**Brittni Mason, Noah Malone, Tatyana McFadden and Nick Mayhugh of Team United States celebrate after winning gold in the 4x100m Universal Relay on day 10 of the Tokyo 2020 Paralympic Games at the Olympic Stadium on Sept. 3, 2021 in Tokyo, Japan. Team United States set a new world record in 45.52 seconds.**

All three athletes in the men's T64 long jump – Merrill, Loccident and Jarryd Wallace (Athens, Ga.) – qualified for worlds in the event.

On the women's side, Beatriz Hatz (Lakewood, Colo.), Jaleen Roberts (Kent, Washington) and Taleah Williams (Norfolk, Nebr.) won their long jump events and will compete in Paris this summer.

## Ambulatory

Paralympic medalists Noah Malone (Fishers, Ind.), Brittni Mason (Cleveland, Ohio) and Nick Mayhugh (Manassas, Va.), Hunter Woodhall (Syracuse, Utah), Patrick Leeper (Kingsport, Tenn.) as well as Paralympians Erin Kerkhoff (Coralville, Iowa), Tanner Wright (Abilene, Texas), and Marshall Zackery (Ocala, Fla.), will represent Team USA in ambulatory sprints. They will be joined by newcomers Jaydin Blackwell (Oak Park, Mich.), Matthew Paintin (Littleton, Colo.) and Ryan Medrano (Savannah, Ga.).

Mayhugh, Paintin, Blackwell, Medrano, Wright and Kerkhoff are all making their worlds debuts, though Mayhugh, Wright and Kerkhoff competed in Tokyo. Mason and Malone are each defending world champions in

the 100-meter and 4x100-meter universal relay, which they will look to defend in Paris. Leeper is a five-time worlds medalist who last competed at the world championships level in 2013, while Woodhall, a three-time Paralympic medalist, has four worlds medals in his career. Zackery is set to make his second world championships appearance.

Rounding out Team USA are five middle-distance runners – two-time Paralympic champion Breanna Clark (Los Angeles, Calif.), Paralympic champion Michael Brannigan (Northport, N.Y.), Paralympic silver medalist Liza Corso (Newmarket, N.H.), Paralympian Joel Gomez (Encinitas, Calif.) and newcomer Kaitlin Bounds (Russellville, Ark.).

Clark is the defending world champion in the 400-meter T20 twice, while Brannigan has five worlds medals to his name in the men's T20 class. Corso, who ran her way to an unprecedented silver medal in Tokyo, makes her worlds debut. Bounds and Gomez have each competed at one world championship.

World championships competition is set to run from July 8-17 in Paris, France.

**READ MORE SPORTS NEWS ON PAGE 20**



# GETTING PERSONAL

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**A 408**

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**A405**

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**ABBREVIATIONS**

**A - Asian; B - Black; C - Christian; D - Divorced; F - Female; G - Gay; H - Hispanic; J - Jewish; M - Male; N/D - Non drinker; N/S - Non Smoker; P - Professional; S - Single; W - White**

**BILL SUPPORTS STUDENTS**

Continued from page 3

voluntary leaves of absence difficult to access or return from.

"We are in the midst of a mental health crisis, but for too long, we have left students and their schools without a roadmap for navigating it," Markey said. "Failing to give students and institutions of higher education the resources they need to support students experiencing a mental health crisis or substance use disorder means failing to give all students the opportunity for full and equal access to education. This legislation will support students who have faced

discrimination while providing clarity to academic institutions about their responsibilities to protect students' civil rights."

"Our young people cannot thrive and succeed if we do not seriously address our nation's mental health crisis," Porter said. "The laws we have on the books aren't translating into protections for students, which is a sign we must redouble our efforts to get schools to comply with mental health safeguards. My Student Mental Health Rights Act with Sen. Markey will help make campuses safer for students in crisis."

**NOD PROJECT**

Continued from page 15

students who shared their job search and recruitment experiences which uncovered surprising realizations for students with disabilities.

"Students with disabilities are an important asset to any organization," said Felicia Nurmsen, managing director, employer services for NOD.

"In addition to the skills all college graduates have, they bring intangible life experiences and attributes that are not immediately apparent on

a typical college transcript. Our corporate partners have demonstrated a strong commitment to hiring well-qualified college students with disabilities, but it was apparent that these employers were still facing challenges identifying and recruiting people with disabilities. Our Campus to Careers Roadmap materials highlight the incredible talent that people with disabilities bring to the table and how to make them part of your team."

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 The 10th day of the month prior to  
 publication

### CDPAANYS

Continued from page 8

ceive from the managed care companies about the average hours authorized by county, the number of their members who had to transition to institutions like nursing homes, and more. If signed, it will be a tremendous resource that helps make consumers more informed when choosing managed care companies – something that we all should desire.

We also would be remiss if we did not remind folks that the budget did increase eligibility for the Medicaid buy-in for working people with disabilities, which allows people with disabilities to earn money while keeping their Medicaid coverage. It was raised significantly from its previous

ceiling of \$64,000 to almost \$500,000 per year, helping to end a forced impoverishment of people with disabilities.

Unfortunately, without Fair Pay for Home Care and other critical investments in the sector, the impact of this expansion will be limited at best, as increases in eligibility without addressing the workforce shortage that is preventing use of the benefit, is often counter-productive.

While the results of this budget and legislative year were mostly disappointing, we have a lot to be optimistic about. Our movement continues to grow and we are poised to return next year more motivated and stronger than ever. We will spend time over the

summer and fall listening to you and building our plan for next year, coming back stron-

### AFFORDABLE HOUSING Continued from page 1

as defined by the state's Office for People With Developmental Disabilities and at least five ground-floor or elevator accessible units for individuals with disabilities. The units are to be set aside in perpetuity and must be spread throughout the development.

"What we are committed to in this county is making sure everyone in our community is included," said Bellone.

"With the legislature's unanimous support and the county executive's signing of these two pieces of legislation we are

ger than before and using an election year to demand change.

not only providing increased opportunities for those within our veterans and special needs communities, we are paving the way for the rest of New York State and the country to follow our lead when it comes to addressing the housing needs for these individuals that have been overlooked for far too long," said Caracappa.

"Kudos to the Suffolk Independent Living Organization, Trish Calandra and all others involved for their advocacy and seeing their efforts come to fruition," said Brandow.

# THE ACCESS INDEX

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SPORTS SCENE

# Blind Baseball A Hit In The U.S.

By Jeremy Morak

**A**daptive sports and accessible athletic activities for people with disabilities have been gaining popularity globally for years.

One sport that is entering its golden era in the U.S., is the adaptive sport of Blind Baseball. Founded in Italy in 1998 and first introduced in the U.S. in 2015, Blind Baseball offers people who are blind and visually impaired the opportunity to compete on a baseball field in ways never before possible. The sport also cultivates a safe community that allows players to enhance skills needed for independent living and socialization in a fun and healthy environment.

The sport incorporates aspects of traditional baseball while adding accessible components designed to provide players auditory cues and

signals. Each player, whether batting, running, or fielding, wears a blindfold to create equal ability with people with varying degrees of visual impairment. Players rely on sound, from bells inside a baseball size ball to clappers and an electronic horn for base runners to safely navigate the diamond.

Fielders also heavily rely on communication from their teammates at other positions to help locate the ball once it's in play. These requirements culminate in a way that teaches players to work in a team setting and promote individual responsibility.

The U.S. Blind Baseball Association (USBBA), a charitable, nonprofit organization was formed earlier this year by hall-of-fame college baseball coach Donald Landolphi and Ed Plumacher. The orga-



USBBA blind baseball team

nization is contracted by and works closely with AIBXC, the international governing body for this adaptive sport.

In cooperation with AIBXC, the newly formed USBBA is dedicated to the development, management and promotion of blind baseball throughout America. Pres. and CEO of the USBBA Ed Plumacher, an assistive technology specialist at Lighthouse Guild, coordinated an immersive training clinic for American players to travel to Bologna, Italy in May with help from the AIBXC and support from Lighthouse Guild.

The week-long clinic included practicing with coaches of the Bologna White Sox, one of 12 Blind Baseball teams in Italy and a scrimmage against the Bologna squad. Players, coaches and sighted volunteers from New York had a unique opportunity to learn more about the sport overall and practice the necessary skills to compete internationally.

The clinic's success forecasts blind baseball's continued growth in the U.S. explains the impact that adaptive sports, and Blind Baseball specifically, can have on

people dealing with low vision, "I am a huge advocate for the physical, emotional and psychological benefits that adaptive sports provide to blind and visually impaired individuals," said Plumacher.

"Sports have been a major part of my personal and professional life and adaptive sports had a dramatic impact on my acceptance and acclimation to blindness. The clinic has allowed us to develop the skills we will need to continue to grow and to compete in next year's World Baseball Softball Confederation's Blind Baseball International Cup."

Eva Trevisan, Vice President of AIBXC, specializing in international development, attended the clinic and was delighted to see the progress made in just a few days. She elaborated on her goals for expanding the sport internationally, "My dream is that one day this sport can compete in the Paralympics. I also hope we can demonstrate how much this sport can change lives for people with visual impairment."

*Jeremy Morak is a Marketing Manager at Lighthouse Guild.*

## 'Rally For Rebecca' 5K A Success



Assemblymember Charles Lavine and Plainview resident Rebecca Koltun are all smiles at the recent second annual Rally For Rebecca 5K Walk/Run/Roll.

The event, held in honor of Koltun who became paralyzed from the neck down at age 21 after a tragic skiing accident, supports the nonprofit Help Hope Live charity.

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