



The United 874K Coalition

WHAT DO WE ADVOCATE?

The United 874K Coalition advocates these principles of self-determination:

Supports to Live in the Community:

➤ **Inclusion**

Inclusion is the act of engaging people with disabilities in all daily activities - at school, at work, at home and in the community. They must be active in choosing and maintaining their employment, living arrangements, worship, socialization and recreation. All programs for individuals with disabilities must have a "community first" principle.

Successful inclusion of persons with disabilities requires that appropriate services and supports are available in the community of choice. Successful inclusion is also based on active education and information provided to all Kentuckians to reduce misinformation and stigma and to encourage acceptance as a necessary part of the process. We urge the legislative and executive branches to designate through proclamations, resolutions and activities particular weeks or months in recognition of specific disabilities or disability-related advocacy initiatives.

➤ **Why Persons with Disabilities Should Be Heard**

People with disabilities are the country's largest minority group - 20% of all Americans. In Kentucky, 23.7% of all residents over the age of five years have a disability. 29% of all U.S. families include a member with a disability. 24% of Kentuckians aged 15-64 are disabled, according to the 2000 Census. Our aging population means that the number of people with disabilities is growing; just under 50% of Kentuckians over age 65 have a disability.

➤ **Community Accessibility through full Implementation of the ADA**

The Americans with Disabilities Act (ADA) is a fundamental civil rights law guaranteeing access to the American Dream for people with disabilities. It is crucial that all levels of the Commonwealth fully support the ADA and place the highest priority on the continuing implementation of this law. This would include the U. S. Supreme Court's *Olmstead* decision, ensuring individuals with disabilities their choice of options to live in the community through support and community-based services. Policy-makers must assure that the full continuum of living options are available to Kentuckians with disabilities.

➤ **Consumer-Centered and Consumer-Directed Funding Programs, in which the funding follows the person; these would include Individualized Case Management and Wrap-Around Services which Support the Individual to Live in the Community**

Consumer-Centered and Consumer-Directed Funding Programs empower the individual served and support the individual to make decisions about what type of services and supports he or she receives. More significantly, the individual also controls the purse strings and make decisions about who will provide the services and supports and can negotiate how much those services and supports will cost. It should be noted that when individuals are making decisions and controlling dollars, the total amount spent on services and supports decreases. Also, allowing the dollars to follow the individual results in the individual who is purchasing services and supports having the ability to determine in what setting they will be receiving those services and supports and who will be delivering them. The individual should have the freedom to move to the setting which best meets his/her needs and desires.

➤ **Supportive, Affordable, Accessible Housing**

The lack of available, accessible, affordable housing for individuals with disabilities has emerged as the most frequently-mentioned barrier to community integration. The most basic element of living in the community is having a home. Individuals should have choice in all aspects of their lives, including housing and living support arrangements. Housing choices for individuals with disabilities should be from the same pool of living environments that are available to the general public. Housing options should ensure safety, affordability and accessibility through universal design concepts. In addition, support services should be available to these individuals, regardless of where they choose to live. Services and supports should be person-centered, and should enable people to remain in their own homes, if they choose to do so.

➤ **Expanded Personal Care Attendant Program**

The Kentucky Personal Care Attendant Program (PCAP), as established in KRS 205.900, provides financial support that allows the participant to hire a personal care attendant in order to live independently in the community. The attendants are the “arms and legs” of their employer. As such, they can provide services in a wide variety of areas, such as personal, domestic, and transportation. Through this program, participants are living independently, attending school, and contributing to their communities through volunteering and working. They are living fulfilled, empowered lives. PCAP has been mandated as a statewide program, but the lack of funding prevents all eligible Kentuckians from receiving this service. There are extensive waiting lists in every region of Kentucky. For example, the waiting time in the KIPDA region for Personal Care Attendant services can be 8 years depending on increased funding!

➤ **Hart Supported Living Program**

The Hart Supported Living Program serves individuals with disabilities who may not be eligible for other services. The program is highly individualized and maintains maximum flexibility to meet individual needs. Funding for the program has not kept pace with the

demand for services and, at the current time, there is a substantial waiting list to access this program.

➤ **Accessible, Affordable, Accountable, Available, Acceptable Transportation**

The Americans with Disabilities Act provides that individuals with disabilities have an equal opportunity to participate in education, employment, housing, recreation, and all other aspects of community living. In order to achieve this full inclusion in the community, there must be accessible, affordable, available, accountable transportation statewide. Lack of transportation is a significant barrier to access to needed services and must be addressed.

Equal opportunity means that individuals with disabilities are able to schedule rides 24 hours in advance, obtain public transportation even if someone else in the household has a car, and be picked up and transported to their destination within a reasonable timeframe. Transportation must be available for individuals to reach health care providers, programs, pharmacy and other needed services in a timely manner.

➤ **Assuring Smooth Transitions for the Individual through Coordination of Services**

The individual with a disability and his/her family are often faced with a myriad of service providers and eligibility requirements, creating a confusing maze that can lead to gaps in services and inadequate supports. Waiting lists for vital services are an unfortunate result of an underfinanced and disjointed system. Programs and services which were adequately funded at the outset have not seen an increase in funding for years, although the cost of providing those services has increased significantly. This chronic under-funding of the system of care creates gaps, lack of continuity, and untenable waiting lists. An adequately-funded, seamless service delivery system that responds to the unique needs of the individual should be the goal.

➤ **Access to Healthcare, including Medications and Durable Medical Equipment**

Healthcare should be affordable and available and should provide coverage for the most pressing medical needs of individuals with disabilities. Medicaid and other healthcare programs should include an emphasis on prevention services and on early diagnosis and treatment. If the latest and greatest medications and durable medical equipment, including power wheelchairs, are not covered as healthcare expenses, individuals with disabilities will be forced to accept second-rate care and inappropriate equipment. This will result in lessened health status and fewer opportunities for the individual to live and work independently. The cost of the most effective medications and equipment cannot be assessed in isolation, but in the context of keeping the individual from a decline in health status which will cost more in the long run.

➤ **Assistive Technology, including Augmentative Communications**

Assistive Technology (AT) device related services are essential for many Kentuckians with disabilities to live productive and independent lives. AT, including Alternative and Augmentative Communication (AAC) devices and effective and accessible communication make a critical difference in accessing education, employment, and community living. To meet this basic need for people with disabilities, it is imperative to

preserve and expand any improvement initiatives related to policy, practices, and procedures that the state may or has developed and implemented regarding access to, provision of, and funding for AT devices and services. These may occur in the context of education, health care, employment, community living, information technology and telecommunications including e-government.

➤ **Full Implementation of KY Accessible Information Technology Act**

The KY Accessible Information Technology Act of 2000 (KRS 61.980-.988) was enacted to ensure that Kentuckians with disabilities have access to all State-funded technology-based information (IT) by adopting federal accessibility standards. Many covered entities have done little to comply with this law. This lack of implementation creates barriers which keep many Kentuckians with disabilities from having full access to the jobs and services offered in the Commonwealth.

Supports to be Gainfully Employed or Self-Employed:

➤ **Investment in the Medicaid Works Program, including Personal Care Services on the Job (Kentucky Works)**

The 1997 Balanced Budget Act and the 1999 Ticket To Work and Work Incentives Improvement Act strongly encouraged states to develop a Medicaid Buy-in program, where working individuals with disabilities can purchase their Medicaid benefits through a monthly premium when they earn too much to be otherwise eligible for continued Medicaid coverage. Over 40 states have adopted or are in the process of adopting a Medicaid Buy-In. Advocates in Kentucky have worked with legislators and administration officials for the past eight years to establish a Medicaid Buy-In program in the Commonwealth.

In November of 2007, after a prolonged period of study, the Department for Medicaid Services implemented a Medicaid Buy-in option for working individuals with disabilities, called "Medicaid Works", to enable individuals with disabilities who are working to receive Medicaid coverage by paying a small monthly premium. Although the premium is very reasonable, program eligibility requirements are quite restrictive and only a very small number of individuals will qualify. Advocates need to watch the implementation of this program closely and work toward expanded eligibility requirements to allow more individuals with disabilities who go to work to benefit from the program.

➤ **Expansion of Supported Employment and Job Training**

Supported employment is a vital and essential service that enables individuals with the most significant disabilities to go to work. Although there has been some expansion of services in recent years, many areas of the state remain without service providers and, in other areas, the existing service providers cannot match the overwhelming need. We must continue to expand supported employment to provide adequate training and appropriate support for the individuals with disabilities who need these services.

Economic development initiatives could be designed to expand job opportunities for individuals with disabilities. An effective state use program and tax incentives for private business and other legislative measures would support the creation of new jobs targeted to persons who often find it difficult to gain employment because of their disabilities. Additionally, there should be opportunities for self-employment and entrepreneurial pursuits for individuals with disabilities, allowing them to optimize their

talents and earn a living for themselves and their families. These employment initiatives will enhance the well-being of individuals with disabilities and increase the tax revenues of the Commonwealth.

➤ **Effective Implementation of Ticket To Work Program**

The Ticket to Work is a Social Security Administration program which bundles together approximately 13 work incentives for persons aged 18 - 64 who are beneficiaries of Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI). The program is designed to encourage persons with disabilities to become gainfully employed and to leave the beneficiary rolls. Thousands of Kentuckians will receive a Ticket To Work this year from Social Security and will be encouraged to consider entering or re-entering the workforce.

Education Which is Inclusive and Student-Focused:

➤ **Teachers Should be Prepared To Teach All Children, Regardless Of Abilities**

Educators must be prepared to teach all children because that is, in fact, the law – we are to leave no child behind (No Child Left Behind Act)! This recently-enacted federal law, along with the Individuals with Disabilities Education Act (IDEA), states specifically that schools are responsible for the learning of all students, and that schools must report their annual learning results for students, including students with disabilities. Schools that fail to make adequate yearly progress face very real penalties. But that is not the most important reason that educators must be prepared. The "higher" reason is our fundamental, moral obligation to ensure that the students we teach are prepared for productive lives as adults. That can only occur if students are educated together, with sensitivity to both their similarities and their differences.

➤ **Early Initiation of Transition Planning to Move the Individual through the School System and from School-Based Services to Community-Based Services**

There are federal mandates that address the successful transition of students with disabilities from school to the world of work, post-secondary education and adult life. However, it is often the case that resources are inadequate to ensure such transitions. More state resources must be provided to enable school systems and adult service providers to meet these mandates.

➤ **Students and Teachers have Access to Textbooks and Materials that are in the Most Appropriate Format**

To have opportunity for a complete education in Kentucky, it is essential that students with disabilities at all levels of education have instructional materials in an accessible format that is responsive to their needs. Instructional materials, including films or video productions utilized in the classroom, must be accessible to all students by including captioning for deaf and hard of hearing students, and verbal explanations for blind or low vision students. Legislation passed in the 2002 General Assembly session (KRS 156.027) gave Kentucky one of the strongest accessible textbook laws in the nation for students in Kindergarten through the 12th grade. Action by the 2003 General Assembly in passing the Kentucky Postsecondary Textbook Accessibility Act (KRS 164.477) gave

Kentucky's postsecondary students this same access. Both Kentucky statutes and their corresponding federal mandate in IDEA need continuing support in funding, regulation and implementation in order to give students the access they need to be successful. The goal is to ensure that students with all types of print disabilities have timely access to textbooks and instructional materials in an appropriate alternative format, thus benefiting approximately 47% of the special education students each year in grades K – 12 alone.

For more information about the Coalition and these issues, please contact:

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