

## Disability Representatives Meeting with Joint Budget Committee

December 11, 2018

### Disability Organizations

**Atlantis Community, Inc:** is a Center for Independent Living that supports the rights of people with disabilities to take control over their own lives with full and informed consent, primarily by providing a variety of consumer-directed services—from advocacy to education to transitioning people out of nursing homes and into their very own apartments. Atlantis Community, Inc. is one of nine Centers for Independent Living in Colorado

Contact: Candie Burnham, Executive Director, [candie@atlantiscommunity.org](mailto:candie@atlantiscommunity.org), (303) 733-9324

**Colorado ADAPT:** Colorado ADAPT is an activist group for disability rights, run by and for people with all types of disabilities. ADAPT supports National ADAPT, Community Choice Act of 2007, and all federal, state and local policies that enhance a better accessible community.

Contact: Dawn Russel, [cdawnrussell1965@gmail.com](mailto:cdawnrussell1965@gmail.com),

**NFB of Colorado:** The National Federation of the Blind of Colorado (NFBCO) is made up of blind people of all ages, their families and friends. We have 11 chapters across the state, including our Mountains and Plains At-large Chapter. Our members and leaders provide advocacy and support to blind and visually impaired Coloradans across the state. We work together to promote full participation and integration of blind people in all areas of life, and we serve as an advocate for change when equal access and treatment of the blind is denied.

Contact: Scott C. laBarre, President, [slabarre@labarrelaw.com](mailto:slabarre@labarrelaw.com) or Dan Burke, Legislative Coordinator, [dburke@cocenter.org](mailto:dburke@cocenter.org)

**Colorado Cross Disability Coalition:** advocates for social justice for people with all types of disabilities (what we call a cross-disability). CCDC works with individuals, service providers, businesses, and government agencies to ensure that people with what we call cross-disability have equal rights and equal access.

Contact: Julie Reiskin, Executive Director, [jreiskin@ccdconline.org](mailto:jreiskin@ccdconline.org), 303-839-1775

**Colorado Developmental Disabilities Council:** advocates in collaboration with and on behalf of people with developmental disabilities for the establishment and implementation of public policy which will further their independence, productivity, and integration.

Contact: Joelle Brouner, Executive Director, [joelle.brouner@state.co.us](mailto:joelle.brouner@state.co.us), 720-941-0176

**The Arc of Colorado:** promotes and protects the human rights of people with intellectual and developmental disabilities and actively supports their full inclusion and participation in the community throughout their lifetimes.

Contact: Christiano Sosa, Executive Director, [csosa@thearcofco.org](mailto:csosa@thearcofco.org), 303-864-9334

**Disability Law Colorado:** protects and promotes the rights of people with disabilities and older people in Colorado through direct legal representation, advocacy, education and legislative analysis.

Contact: Mary Anne Harvey, Executive Director, [maharvey@disabilitylawco.org](mailto:maharvey@disabilitylawco.org), 303-722-0300

## Shared Values of the Colorado Disability Community

(presented to the JBC, December 11, 2018; Dan Burke, NFB of Colorado Legislative Coordinator)

The National Federation of the Blind was formed by blind Americans in 1940, and the Colorado affiliate of the NFB dates to 1955. We have more than 500 members in Colorado and more than 250 attended our annual convention in October.

The lawyers in the room should recognize the name of Jacobus tenBroek. TenBroek was a Constitutional Law scholar whose textbooks on the subject continue to be used in law school's half a century after his death. TenBroek was blind and the founding President of the National Federation of the Blind. In 1966, he published a paper in the California Law Review entitled "The Right to Live in the World: The Disabled and the Law of Torts."

That phrase, "the right to live in the world," encapsulates what we in the Colorado disability community hold as common values. We have a right to live in the world, and the proof is that we are here. We are not aberrations. Disability is not a tragedy. Rather, as the preamble to the Rehabilitation Act has said for decades, "disability is a natural part of the human experience..." and we contend that disability is a normal part of life.

Thus, we are united with respect to the continued protection of our civil rights, The Americans with Disabilities Act, Section 504, what were originally called "white cane laws" and which later included service animals for people with disabilities who were not blind, guarantee our equal right to live and move throughout our communities, the state and the nation.

We assert our right to live, work, play, love, and worship in the community. Some people need publicly funded supports to do this. However, needing such supports should by no means involve giving up the dignity of making our own choices as adult citizens. We have the right to fail. This is how we all learn from mistakes.

Even in 2018, a person with a disability might go out with a friend who, at least in appearance, doesn't have a disability, and a restaurant server or barista might still turn to that friend and ask, "What does he or she want?" Chairman Moreno and Members of the Committee, this last shared value you may have

already inferred: Nothing about us without us. Ever! We speak for ourselves. Please include us when you consider disability policy decisions. All of the disability or parent-led organizations work together and any of us will help you to reach out to the right person and organization on a given policy matter.



## **Disability Community Policy Priorities:**

### **Colorado General Assembly 2019/2020**

#### **Employment Opportunities:**

- Extend [SSDI Trial Work Period](#) concept to state programs (State housing vouchers, AND, OAP, etc)
- Extend [Medicaid buy-in](#) programs beyond age 65 and allow for breaks in employment. Currently people with disabilities that require daily care have to stop working and impoverish themselves if they live to age 65 in order to continue receiving supports such as daily home care to get out of bed, shower, etc. This gives no incentive or ability to save for retirement and will leave most people in a position of losing their homes. If a job is lost they have only ten days to get a new job or lose all assets accumulated.
- Assure equal funding for transit in all transportation funding. Address barriers to accessible on demand transportation. (PUC).
- Support Employment First, but make available to people with all types of disabilities.

#### **Access to Community Based Services and Supports**

- [Community First Choice](#) legislation to reform LTSS (2020 session)
- Increase participant direction options and allow for all Long Term Services and Supports (LTSS) services in all waivers and explore for certain state plan benefits.
- Equalize rates between consumer direction and agency-directed care.
- No direct care st
- aff ever is paid less than \$15 an hour at bare minimum.
- Redefine what is skilled and unskilled and reform rates accordingly.
- Delivery and rate reform of complex rehab in Medicaid. Stronger repair provisions of power wheelchairs, mitigation of damage caused by Medicare.

# Poverty Reduction

- Increase [Medicaid LTSS asset limit](#) from \$2,000 (set in 1982) to at least \$25,000
- Allow people who acquire disabilities at young age to save unlimited amount for children's college and to leave a home up to a certain value to them, even if they live past age 55. (Difference between helping young people with disabilities escape poverty and making Medicaid an inheritance protection program)
- Allow Medicaid buy-in clients that have LTSS needs to continue working as long as they want (currently they have to stop at age 65 despite retirement not occurring until age 67) and to keep assets accumulated while working when they retire. (see above for fixing the age 65 cut off)
- Use all federally allowable options to liberalize food stamps.
- Continue reforms to make Aid to the Needy Disabled less draconian.

## Housing:

- Require new housing be at least [visitable](#)
- Increase state based vouchers
- Stronger fair housing protections and enforcement (add source of income protections)
- Keep homestead exemption for low-income seniors and consider expanding to people on fixed income affected by gentrification.
- Support warranty of habitability, stronger protections for renters.
- Anything to address affordability especially for those on fixed incomes

## Civil Rights:

- Require Colorado Civil Rights Division to have disability training
- Mail in ballots accessible to Blind people
- Continue to make improvements in Sign Language Interpreter quality and access
- Assure that anytime there is a board or committee that makes policy that affects people with disabilities, that our community is directly represented.

## Key Agencies and Departments:

HCPF: Medicaid, LTSS, Consumer Direction, RAE, DME, Transportation

CDHS: State Hospital, Regional Centers, CMHTA, OAP, AND, SNAP,

CDLE: DVR, Workforce Centers, Independent Living

DOLA: Division of Housing

DORA: CCRD, PUC, All medical and mental health boards

CDPHE: Health Facilities