

Disability Issues

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EPA/Michael Reynolds

U.S. Paralympic Team Competes in Beijing

As we are going to press, more than 200 U.S. athletes with physical disabilities will be competing in 18 different sporting events during the 2008 Paralympic Games in Beijing, China, September 6-17, 2008. Athletes from Massachusetts will be competing in several events, including powerlifting, swimming and track and field. The U.S. Paralympics is a division of the U.S. Olympic Committee. Since its formation in 2001, U.S. Paralympics has dedicated itself to being an inspirational influence in the lives of people with physical disabilities. Through partnerships with community organizations, medical facilities and government agencies, U.S. Paralympics has pursued a program of excellence in sports that has a wide range of benefits. Today there are more than 21 million

Continued on page 8

New Ticket to Work Rules Expand Employment Options for SSI/SSDI Recipients

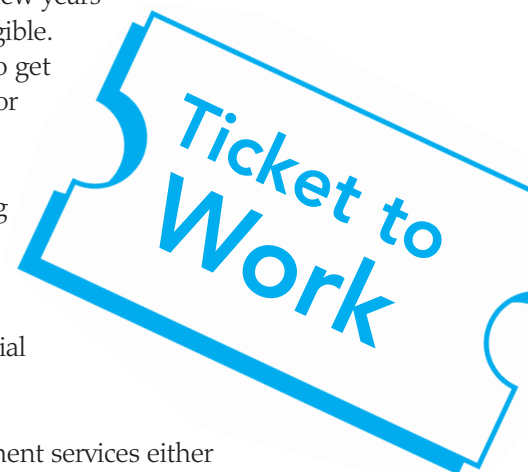
By Linda Long-Bellil

Have you heard about the **Ticket to Work** program? Did you know that it is now new and improved to provide better options to Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI) beneficiaries? This article will explain how the Ticket to Work program operates and how the new changes may expand your options for getting employment services.

The Ticket to Work program offers SSI and SSDI beneficiaries a voucher that they can use to get employment services and supports from organizations called "Employment Networks (ENs)." Both the Massachusetts Rehabilitation Commission (MRC) and private employment service providers can qualify as ENs. Social Security recently changed its rules to make the Ticket to Work program more attractive to private providers with the goal of getting more of them to sign up as ENs and thereby expand the choices available to people with disabilities. Social Security also made all SSI and SSDI beneficiaries between the ages of 18 and 64 eligible for the Ticket to Work program, instead of limiting it to certain recipients as they had in the past. Social Security has also tried to make the program more attractive to beneficiaries by agreeing not to review the medical status of anyone who is actively participating in the Ticket to Work program.

You may have gotten a ticket in the mail a few years ago and never used it. If so, you are still eligible. You don't need to have the ticket in hand to get services. The EN can verify your eligibility for you. If you are an SSI or SSDI beneficiary within the 18 to 64 age range and have never received a ticket, you will be receiving one in the mail sometime in the near future. Even SSI or SSDI beneficiaries who have not received actual tickets in the mail may be able to participate and can ask Social Security or the EN to verify their eligibility.

As mentioned before, you can get employment services either from the Massachusetts Rehabilitation Commission or a



Continued on page 7

Inside This Issue

New Ticket to Work Rules Expand Employment Options.....	1	From the Editor.....	3
U.S. Paralympic Team.....	1	Information Briefs.....	4 & 5
What in the World is EPAS, or Is It WPAS?.....	2	MI-CEO Grant Addresses Assistive Technology Issues.....	6

What in the world is EPAS, or Is It WPAS?

By Ray Glazier

Since I wrote on this subject almost three years ago (“PCAs in the workplace,” *Disability Issues*, Fall 2005), the concept has gained national recognition, two official titles and two acronyms (EPAS or WPAS) as shorthand. That first acronym stands for Employment-Based Personal Assistance Services or some variation of that. The second acronym is for Workplace Personal Assistance Services. Right now EPAS seems to be winning out as the preferred moniker for Medicaid-funded services of this type.

Disability advocates long ago took the “care” out of “personal care” and swapped out “attendant” for “assistant,” although the dated term “personal care attendant” is also still used here in Massachusetts. This was an effort to get greater distance from the medical model of service delivery and medical terminology. Perhaps an employee with a Medicaid-funded “personal assistant” at the worksite might be viewed as more autonomous and self-reliant than a worker who requires the services of a “personal care attendant.”

A recent Policy and Practice Brief from the National Consortium for Health Systems Development entitled “The Role of Personal Assistance Services in the Workforce Delivery System” (www.nchsd.org/libraryfiles/PAS/NCHSD_PAS_Brief_April2008.pdf) confirms my overall impression that personal assistance services (PAS) workers at the worksite are still a “sleeper” phenomenon in many places. Medicaid-funded EPAS is still new and striving to distinguish itself from PAS that employers should provide as an ADA reasonable accommodation, such as assistance with job tasks, job-related travel and job coaching, rather than personal needs, such as help with eating and toileting.

The Brief notes a numbers of other problems contributing to the scarcity of EPAS used by consumers:

- Confusion as to which funding stream should pay for EPAS (Medicaid or Voc. Rehab);
- Recent CMS regulatory shift limiting reimbursement for case management services that working EPAS users may need;
- Shortage of direct service PAS workers, especially those willing to travel to the workplace to provide services;
- Service provider misunderstandings about the unfamiliar concept of EPAS, or even about the very idea that PAS consumers are viable employment candidates who require workplace services;
- Employers’ misplaced concerns about liability exposure for onsite workers not in their employ;
- Funding constraints or fear of program expansion, which the Brief finds unwarranted, based on the experience of states like Utah with established EPAS programs; and
- States’ lack of information about the EPAS concept and the data that would help them correctly estimate costs and modify administrative systems to track this new type of service delivery.

PAS consumers I’ve spoken with have shared some of their strategies for dealing with workplace assistance needs, including:

- Asking for ad hoc help from a coworker in a pinch, noting that it is easy to tell which colleagues are comfortable helping out, who to ask and who not to ask;
- Having a regular in-home PAS worker make scheduled jobsite appearances for needs that can be anticipated, such as help with lunch, emptying a leg bag and toilet transfers;

Continued on page 7

More Information on Workplace PAS/EPAS

- **Annotated Bibliography on Workplace Personal Assistance Services**
www.pascenter.org/workplace_pas/anno_bib.php
- **Personal Assistance Services (WPAS) in the Workplace**
www.jan.wvu.edu/media/pas.html
- **Workplace Personal Assistance: Frequently Asked Questions**
www.disabilitybenefits101.org/ca/programs/work_benefits/wpa/faqs.htm#_q824
- **Workplace Personal Assistance Services and Assistive Technology**
www.worksupport.com/Main/downloads/chapter6.pdf
- **Personal Assistance Services on the Job**
www.ncwd-youth.info/assets/info_briefs/infobrief_issue6.pdf
- **The Applicability of the ADA to Personal Assistance Services in the Workplace**
www.disability.law.uiowa.edu/csadp_docs/ADAtoPA.txt



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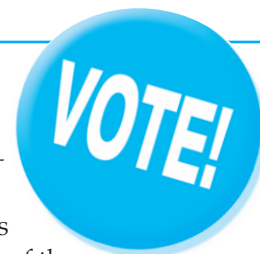
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From the Editor



This November the American people will elect a new president. I urge everybody who is eligible to vote to participate in this historic occasion. If you think it doesn't matter who is president, just recall the profound impact that the decisions of the present administration, whether you approve of them or not, have had on the world we live in. Even if you are cynical about the workings of politics – and people have a lot of justification for cynicism – don't sit on the sidelines because the system isn't perfect. As a wise person once said, *democracy is a terrible system, except when you compare it to any other.*

The deadline for registering to vote in the general election is October 15. As you are reading this, that time might have passed. But, if you are eligible to vote, haven't registered and there is still time, you can get voting information at the Commonwealth of Massachusetts Election Division. There you can find out about voter registration, how to get an absentee ballot and where your local polling place is located. You can contact the Election Division at:

www.sec.state.ma.us/ELE/
One Ashburton Place, Room 1705, Boston, MA 02108
617-727-2828 or 800-462-8683

The next president will have a strong influence on the domestic agenda of this country. He will be in a position to support or discourage legislation and programs of great importance to people with disabilities. You can compare the candidates' positions on disability issues at the American Association of People with Disabilities web site: www.aapd.com/News/election/peac2008.php.

Voting is a simple act of community participation and equality – one person, one vote. In the voting booth we all have the same power whether we are able-bodied or disabled, white or of color, men or women, straight or gay, rich or poor.

US Congressman John Lewis observed at the recent Democratic National Convention that democracy is not a state; it is an act. We all share responsibility for our country, for one another. And ultimately we get the government our action or inaction earns us. Let's seize this election as a renewed chance to earn the absolute best that we can.

Paul Kahn

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To view *Disability Issues* on-line go to www.masschec.org.

October is National Disability Employment Awareness Month



The theme of the 2008 Disability Employment Awareness Month, which is celebrated annually in October, is "America's People, America's Talent... America's Strength!" U.S. Secretary of Labor Elaine L. Chao announced the theme in July and commented "Full access to community life for Americans with disabilities is an imperative and this year's theme conveys the tremendous contributions that these Americans can make in the workplace." The Labor Department's Office of



Disability Employment Policy (ODEP) leads the nation's activities and produces materials to increase the public's awareness of the contributions and skills of American workers with disabilities. Typically, private sector; federal, state and local government; and advocacy organizations piggyback on the same theme to plan events and programs that showcase the abilities of employees and job candidates with disabilities. ODEP's work primarily falls into three categories: employers and the workplace; workforce systems; and employment-related supports, which include education and training, health care, reliable transportation, affordable housing and assistive technology. For more information, visit www.dol.gov/odep.

Institutionalized PWDs Gain Community Placement

In March more than 600 individuals with cognitive or developmental disabilities won the right to leave their nursing homes and live more independently in an apartment, family home, or group setting. This change is a key part of a settlement the Patrick administration reached with advocates for people with disabilities in a 10-year-old case, in which plaintiffs argued that the nursing home placements violated federal mandates, including a requirement that they be in the most integrated setting appropriate for their care.

Many were placed in nursing homes even though they are significantly younger than the senior citizens the facilities are designed to serve, reducing their quality of life and their ability to contribute to society, the suit contended. Services the state will provide to the individuals in their new homes include personal care assistants, nurses, and physical therapists. Many also will have access to recreational activities, educational opportunities, and job training.

The settlement is the second resolution in the case, which was named after Loretta Rolland, a disabled Agawam woman and lead plaintiff. It was pushed by Arc Massachusetts (formerly the Association of Retarded Citizens Massachusetts) and the Center for Public Representation. Initially, the case placed more than a thousand people in community-based housing and care between 2000 and 2007. But more than 700 people remained in nursing homes.

The state said it could provide appropriate services for them there, but advocates disagreed and brought the suit that was settled in March. The settlement will still leave roughly 100 individuals in nursing homes because of age, condition, or circumstances.

Source: *The Boston Globe*

SEIU Convention Passes Resolutions Supporting Disability Rights

In June the Service Employees International Union (SEIU), the group in which PCAs are organized, completed its 24th International Convention. The event was attended by over 2,000 delegates from across the United States, Puerto Rico and Canada. At every SEIU Convention, members make decisions about their future and about the key issues that affect them and their communities. The recent convention passed some resolutions that are especially relevant to the disability rights movement and union members with disabilities. The areas that they addressed included: rebalancing our nation's long-term care system, improving consumer choice of long-term care services and support for good union jobs for persons with disabilities. SEIU expressed its commitment to working with the disability rights movement toward the shared goals of quality care and quality jobs in home and community based settings. It supports MICASA and the Community Choice Act.

Elder Scam Prevention Program Launched

The Massachusetts Bankers Association (MBA), the Massachusetts Attorney General's Office and the Massachusetts Executive Office of Elder Affairs have introduced an enhanced program to help train bank personnel to recognize and prevent financial exploitation of the elderly. In the Bay State, 137 banks have signed up for the program known as the Massachusetts Bank Reporting Project.

The Bank Reporting Project began a dozen years ago. With cooperation and encouragement from Governor Patrick's Administration and Attorney General Martha Coakley, the program is now offering more training sessions for bankers and new consumer education materials in a concerted effort to thwart would-be financial abusers of the elderly.

Financial exploitation can take many forms and is often carried out by a family member, acquaintance or legal representative. Generally it consists of persuading or coercing vulnerable and trusting elders to do something with their money that is not in their best interest. Broader scams include requests to forward a handling fee for winning the Canadian Lottery or instructions to forward money to cover the advance fee for winning a trip, phony enticements that can come through the mail, on the phone, or through e-mail. As part of the project, bankers are trained to recognize unusual activity in an elder's account and to ask them about it tactfully without intruding on their privacy.



The Executive Office of Elder Affairs provides supports to elders and their caregivers through a statewide network of local elder services agencies known as Aging Services Access Points (ASAP).

The Protective Services Program is administered through 22 of the ASAPs to prevent, detect and mitigate the impact of financial exploitation, abuse, neglect or self-neglect. For information on services for elders and their caregivers,

call 1-800-AGE-INFO (1-800-243-4636) or 1-800-872-0166/TTY. You can also visit www.800AGEINFO.com or www.mass.gov/elders. Elders may also access a variety of programs and activities through their local Councils on Aging. To report financial exploitation, abuse, neglect or self-neglect, call the Elder Abuse Hotline: 1-800-922-2275.

Source: *Margolis and Bloom*

Disability Law Center Appoints New Director

The Disability Law Center (DLC) announced in August that Kathryn (Kathy) Joyce has been named its new Executive Director. Joyce brings experience in public policy law and disability advocacy to DLC. In the last 20 years she has worked as a trial attorney and as a policy analyst in federal and state government. While working for the Commonwealth of Massachusetts, she held positions in the Office of the Governor and in the former Office of Handicapped Affairs (now Massachusetts Office on Disability). Her state service includes work on a number of issues affecting the rights of individuals with disabilities, including employment, health care and architectural access.

Grants Available to Support Disability-Related Projects

The Cambridge Commission for Persons with Disabilities is looking for projects that:

- promote inclusion,
- help eliminate discrimination, or
- teach universal design

The Commission is offering small grants up to \$5,000 each to support such projects. Virtually any proposal will be considered if it promotes the full participation of people with disabilities and benefits the community of Cambridge at large. For more information contact the Commission at 617-349-4692 voice, 617-492-0235 TTY or cthompson@cambridgema.gov.

MI-CEO Grant Addresses Assistive Technology Issues

By Susan Murray

I. Introduction

The Massachusetts Medicaid Infrastructure and Comprehensive Employment Opportunities Grant (MI-CEO) is a collaborative project of the Massachusetts Executive Office of Health and Human Services, the Institute for Community Inclusion at UMass Boston, and the Center for Health Policy and Research at UMass Medical School. The purpose of the Grant is to increase employment among people with disabilities. A co-publisher of *Disability Issues*, the Grant is funded by the Centers for Medicaid and Medicare Services.

The MI-CEO Grant concerns itself with assistive technology (AT) when access to and the cost of AT impacts employment options for people with disabilities. Assistive technology can be a “device” or a “service.” A device is any item, piece of equipment or system that increases, maintains or improves the functional capabilities of people with disabilities. AT devices help people with disabilities do what they are able to do better and longer. They also increase independence and community integration. Two major issues and some would even go so far as to say potential barriers to employment for people with disabilities are accessing equipment or the resources to pay for it and the misperception on the part of employers that adaptations are too costly and take up too much space.

In response to these AT issues the MI-CEO Grant has identified several initiatives currently underway in Massachusetts and compiled a list of resources.

II. Initiatives

1. An updated state plan for AT to be completed by October 2008 by Karen Langley from the Executive Office of Health and Human Services will have employment as a focus.
2. The MassMATCH website, the primary location for AT information in the state, is being updated as part of the plan. MassMATCH is the Commonwealth’s initiative to “Maximize Assistive Technology in Consumer’s Hands.”
3. A Peer to Peer network to train users in new technology being is being implemented.
4. An inter-school sharing of AT equipment that students have outgrown is being developed,
5. A Community First Waiver program will demonstrate the importance of paying for AT other than “medical necessity.”

6. Discussions with New England Index will focus on integrating information about AT resources into their information system.
7. Conferences and expos will be scheduled across the state to introduce people to AT and the role of Easter Seals in providing it.

III. Other People, Programs and Products

1. MRC sponsors a website and has developed the MassMATCH state plan for AT www.massmatch.org. Through partnerships with community-based organizations, MassMATCH is currently creating new AT programs and working to coordinate AT services throughout the Commonwealth. MassMATCH is one of 56 state-level AT initiatives in the United States. Their mission is to promote the use of assistive technology and assistive technology services to enhance the independence of people with disabilities, enabling equal participation in all of life’s activities.
2. Easter Seals manages a home modification loan program with MRC through Sovereign bank and also has major resources in the AT field.
3. The MassMATCH website has a listing of Regional Centers in western and eastern Massachusetts where people can learn about and try out AT devices. They can be accessed at:
 - AT Regional Centers (MassMATCH)
 - Assets Inc
 - Carroll Center for the Blind Low Vision Clinic
 - Collaborative Center for Assistive Technology and Training (CCATT)
 - MCDHH Technology Demonstration Center
 - New England Assistive Technology Marketplace
 - Specialized Telephone/TTY Demonstration Centers
4. The Massachusetts Commission for the Blind (MCB) has web information on AT for home and work as well as employer assistance for AT.
5. Easter Seals works with employers to modify work-spaces and with individuals to enhance independent living ability.

The MassMATCH website has a listing of Regional Centers in western and eastern Massachusetts where people can learn about and try out AT devices. See box on page 7.

New Ticket to Work - Continued from page 1

private EN provider. EN providers can be found by looking on Social Security's web site at www.yourtickettowork.com/endir. In addition, Community Work Incentives Coordinators (CWICs), can help you identify an EN provider who may be right for you and who can also help you to understand the impact of working on your benefits. You can contact CWICs at the following organizations:

Project Impact

Massachusetts Rehabilitation Commission
27 Wormwood Street
Boston, MA 02210
Email: joseph.reale@state.ma.us
Tel: 1-800-734-7475

Serves the counties of Barnstable, Bristol, Dukes, Nantucket, Plymouth, and Suffolk.

Resource Partnership

251 West Central Street, Suite 31
Natick, MA 01760
Email: info@resourcepartnership.org
Tel: 1-877-937-9675

Serves the counties of Berkshire, Essex, Franklin, Hampshire, Hampton, Middlesex, Norfolk and Worcester

Once you have decided on an employment services provider, they will sit down with you and help you create an Individualized Work Plan (IWP). This is basically an agree-

ment between you and the EN about the steps you will take and the services they will provide to you in order to help you meet your employment goals. This plan must be approved by a company called Maximus, which Social Security has hired to manage the Ticket to Work program. Once your IWP is approved, Maximus will "assign" your ticket to the provider you have specified. If you are not happy with your provider, you can always "unassign" your ticket and switch to another EN. In addition, in some instances your plan may include the option of getting certain services from one provider, such as MRC, and then additional services from another provider at a later time. This arrangement must be made on a case by case basis with each provider.

Similarly, if the EN believes that you are not following through on your commitment, they can unassign your ticket. The program is voluntary for both the beneficiary and the EN. Social Security also requires that you make "timely progress" to remain eligible for services. You should check with the EN to determine what constitutes timely progress.

The new and improved Ticket to Work program has the potential of opening up exciting new options for SSI and SSDI beneficiaries who are considering work. Additional information can be obtained from Social Security's website at www.ssa.gov/work.

The MassMATCH Website

AT Regional Centers (MassMATCH):

www.massmatch.org/find_at/demo_at.php#AT_Regional_Centers

Assets Inc.: www.massmatch.org/find_at/demo_at.php#Assets_Inc

Carroll Center for the Blind Low Vision Clinic: www.massmatch.org/find_at/demo_at.php#Carroll_Center_Low_Vision_Clinic

Collaborative Center for Assistive Technology and Training (CCATT):
www.massmatch.org/find_at/demo_at.php#CCATT

MCDHH Technology Demonstration Center:
www.massmatch.org/find_at/demo_at.php#MCDHH_Demo_Center

New England Assistive Technology Marketplace:
www.massmatch.org/find_at/demo_at.php#NEAT_Marketplace

Specialized Telephone/TTY Demonstration Centers: www.massmatch.org/find_at/demo_at.php#Specialized_Telephone_Demo_Centers

EPAS- Continued from page 2

- Having the employer give cash incentives to helpful coworkers in recognition of an added job responsibility;
- Having the employer pay jobsite PAS providers the prevailing PAS hourly wage, so that in-home workers could also be employed to provide reasonable accommodation assistance with job-related tasks, such as filing, copying, mailing and transportation;
- Having employers pay a \$75.00 per day Travel Honorarium for overnight work-related travel; and
- Having the employee consumer, rather than corporate Human Resources staff, do the interviewing, training, and supervising of PAS workers hired by the employer to provide job-related services.

The consumer takeaway in a nutshell: EPAS programs may work for you, so don't hesitate to use existing frameworks to become more employable and pursue your dreams.

Raymond E. Glazier, Ph.D., receives PCA services through MassHealth/CommonHealth both at home and at work, as well as employer-provided PAS for job-related tasks and travel in his position as Director of the Abt Associates Center for the Advancement of Rehabilitation and Disability Services in Cambridge, MA.

Paralympic Team - Continued from page 1

Americans with a physical disability. This number includes the thousands of military personnel who in recent years have sustained serious injuries during combat duty. Research shows that daily physical activity not only enhances an individual's self-esteem and peer relationships, but also results in increased achievement, better overall health and a higher quality of life. However, despite these findings, most individuals with physical disabilities do not have the opportunity to participate in any regular sports activity. The U.S. Paralympics is working to address this important national issue.



U.S. Paralympics operates programs in four key areas: Community, Academy, Military and Elite. The Paralympic Games are a sporting event for athletes with physical and visual disabilities. Held in the same year, the same city and same venues as the Olympic Games, the Paralympics are the second largest sporting event in the world. The term "Paralympic" means "parallel to the Olympics." The difference between the Paralympics and the Special Olympics is that the Paralympics are an elite-level competition for athletes with physical and visual disabilities only, while the Special

Olympics are open to all competitors with cognitive and mental impairments. Athletes competing in Paralympic sports are divided into different classifications, which are based on a

combination of factors, including a person's disability and the amount of physical function they have when competing in their chosen sport. Information about classification can be found in the Sports section of the Paralympic website: www.paralympics.teamusa.org/. Classification is offered at a number of regional and national competitions throughout the year.

The U.S. Paralympics is working to create 250 community-based Paralympic sports programs across the country by 2012. For information on how your organization can apply to become a Paralympic Sport Club, contact Sonya Norris at sonya.norris@usoc.org.

Source: *U.S. Paralympics*



China Photos via Getty Images

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