

# THE SUMMIT INDEPENDENT

AN ADVOCACY AND RESOURCE CENTER

FOR MONTANANS WITH DISABILITIES

WESTERN MONTANA DISABILITY NEWS AND VIEWS

Summit Independent Living Center, Inc. 700 SW Higgins Ave., Suite 101, Missoula, MT 59803

June 2009

## LEGISLATIVE OUTCOMES

### Summary of Key Independent Living Montana Legislative Efforts

by Travis Hoffman

Montana's Centers for Independent Living, working in collaboration with numerous other organizations that represent Montanans disability and aging populations including Disability Rights Montana and AARP, made a number of key advancements during the 2009 Montana Legislative Session. Prior to the session, these organizations and numerous people with disabilities from all over the state met to come up with a set of priorities on which to focus our efforts during the legislative session. Those priorities were:

- Medicaid Buy-In,
- An Increase in Funding for Independent Living,
- Funding for a Transitions Coordinator Position,
- Continued Funding for the Health Care for Healthcare Workers Program,
- Increase in Funding for the Extended Employment Program,
- Increase Funding for Aging Services, and
- Support Providing Funding to Improve Montana's Long-Term-Care programs

Virtually all of these priorities were achieved at least at some level. Below is a basic summary of the successes that were achieved during the 2009 Legislative Session for the next two years.

#### **HB 2: General Appropriations Act**

HB 2 is the appropriations bill for the operations of state government, and includes most agency appropriations, with a few exception.

#### **Disability Services Division**

##### **Caseload Adjustments –**

The Disability Services Division caseload adjustments include \$200,000 over the biennium to **increase and help equalize the base funding of the four Centers for Independent Living in Montana**. These funds will be used to provide independent living services to a growing number of people with disabilities living independently in Montana. The adjustments also includes **additional funding for the Extended Employment program** to provide people with the most severe disabilities to supports they need in order to become employed or maintain em-

*(Continued on page 2)*

#### **Mark Your Calendars:**

##### **Accessible Recreation Rendezvous**

Join us July 10 from 10 a.m. to 4 p.m. at Pilgrim Creek Park in Noxon for food, fun and an opportunity to try out adaptive recreation equipment & learn about what disability services and resources are available in Sanders County. Call Kathy at 728-1630 for more information.

##### **LEAD ON! Workshops**

- L** -- Learn our history
- E** -- Empower yourself
- A** -- Advocate with others
- D** -- Disability Rights
- O** -- Organize
- N** -- Network CONNECT with others.

**Ravalli County** - June 11th, 2009

**Flathead County** - June 26th, 2009

**Sanders County** - July 24th, 2009

**Lake County** - July 31st, 2009

If you are interested in attending, please contact Mary Olson at Summit Independent Living Center:

406-728-1630 or

[molson@summitilc.org](mailto:molson@summitilc.org)

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ployment.

### Transitions Coordinator –

The legislature provided \$100,000 in one-time funding over the biennium to support a disabilities transition coordination position to facilitate cooperation and coordination among all levels of government, as well as between the private and public sectors. The coordinator would also administer the Montana Youth Transitions Web Site, coordinate the annual conference and a statewide Disability Mentoring Day, and conduct regional meetings related to the topic of transition.

### Human Resources Division

#### Medicaid for Workers with Disabilities –

The Independent Living Community's top priority during the 2009 legislative session was to advocate for the passage of a Medicaid Buy-In program. The Medicaid Buy-In program will allow people with disabilities who are employed or want to become employed the opportunity to remain eligible for Medicaid services while they are working by charging them a monthly premium based on a percentage of their overall income as opposed to making every individual spend down to the medically needy poverty level. The main part, and the authorization for the state to begin to create the Medicaid Buy-In program passed in SB 119 but the funding for it was located in House Bill 2. The 2009 Legislature, when it passed House Bill 2, approved approximately \$248,000 in total funds to help get the Medicaid buy-in up and running for the next two years.

### Senior and Long-Term Care Division

#### Healthcare for Healthcare Workers –

During the 2007 legislative session, we successfully helped to gain access to health care insurance for healthcare workers. This year, we were able to help in getting funding for this program to be continued. The 2009 Legislature approved \$10.5 million to cover 950 health insurance slots and to continue the program over the next biennium.

#### Additional Funding for Senior and Long-Term Care Home and Community-Based Services –

The legislature appropriated \$9.6 million total funds (\$3.5 million general fund) to rebalance the long term care system by developing increased availability of Home and Community-Based Services as well as additional resource and information services. The funds will support an additional 178 new service slots for community based waiver services (\$8.9 million over the biennium), additional state supplement payments for persons accessing the expanded waiver services (\$25,000 over the biennium), expansion of the aging and disabilities resource center model (\$600,000 over the biennium), and expansion of counseling services for community placement alternatives and information brochures (\$85,000 over the biennium). The appropriation is for the 2011 biennium only.

**HB 645: Federal Stimulus Funding Appropriation Bill**

HB 645 contains the appropriations for the federal "American Recovery and Reinvestment Act (ARRA) of 2009 that are allocated to the State of Montana to be used for the purpose of stimulating economic recovery. It also includes language that is needed to appropriate the onetime monies that is in the federal stimulus act.

**Vocational Rehabilitation State Grants**

The bill provides authority for the Disability Services Division to spend \$2,315,737 for the 2011 biennium for additional services in support of the Vocational Rehabilitation and Independent Living programs.

**Independent Living Part B funds** of \$242,913 for the biennium are to support direct services to individuals with disabilities that help them achieve independent living. There is also \$13,781 in funding to support services for older and blind individuals.

**Senior & Disability Transportation**

\$300,000 in additional funds for matching grants to develop transportation systems for seniors and people with disabilities.

**Provider Rate Increase**

The legislature appropriated a one-time 2% annual provider rate increase for Department of Public Health And Human Services Agencies.

**Direct Worker Wage Increase**

The legislature appropriated \$19.8 million, including \$7.4 million general fund, for SLTC services. HB 645 provides \$16.3 million, including \$4.4 million general fund for a one-time provider rate increase to fund a wage increase or lump-sum payment for direct care workers who provide Medicaid funded services (nursing services, personal assistance, and community waiver services). The appropriation must be used to implement the rate increase and may fund up to \$1 per hour including benefits.

**Radio reading service**

The legislature appropriated \$323,000 to fund the Radio Reading Service.

**Non-Medicaid Aging Services**

Aging Services received a total of \$3.5 million to continue programs such as the Meals on Wheels program for Montana's elderly and disability populations. The legislature appropriated \$3.0 million general fund over the biennium restricted to non-Medicaid community aging services. The final appropriation is a \$0.5 million federal grant available through the ARRA for meal programs for aging services.

**SB 119: Medicaid Buy-in for Workers with Disabilities**

The Medicaid buy-in bill passed the Legislature and was signed into law on May 5, 2009 by Governor Schweitzer. The purpose of the program is to support employment for individuals with disabilities by providing Medicaid coverage to individuals who would otherwise be ineligible for Medicaid due to earnings that exceed the Medicaid program's income limits. The new program allows disabled persons who become employed to keep more of their income and remain eligible for Medicaid services by paying a higher percentage of their Medicaid costs.

**HB 172: Provisional hunter safety certificate for persons with disabilities**

This bill successfully passed both chambers of the Legislature and was signed into law by Gov. Schweitzer. This bill allows people with developmental disabilities to be able to acquire a provisional hunter safety certificate if they successfully complete a hunter safety program but are unable to pass the written test at the end of the class.

***SB 234: Insurance coverage for autism***

This bill successfully passed both chambers of the Legislature. The bill will mandate insurance companies to cover specialized treatments for children with autism up to \$50,000 a year for a child 8 years of age or younger; and \$20,000 a year for a child 9 years of age through 18 years of age.

***HB 130: Grant program for local crisis services and jail diversion for mentally ill***

This bill provides for state matching funds to be granted to counties for crisis intervention, jail diversion, involuntary pre-commitment, and short-term inpatient treatment costs for the mentally ill.

***HB 131: State contracting for mental health emergency detention beds***

This bill requires the Dept. of Public Health And Human Services to contract for crisis bid and emergency and court-ordered detention beds for the mentally ill.

***HB 132: Diversion from involuntary commitment to short-term inpatient treatment***

This bill provides that a respondent in involuntary commitment case made me to short-term inpatient treatment in lieu of facing a commitment hearing; amend the court process and professional examination provisions and also specifies short-term inpatient treatment parameters and patient rights.

HB 130, 131, and 132 moved through the Legislature as a package. This series of bills were commonly referred to as the mental health diversion bills.

***HJ 39: Study development of additional community services for developmentally disabled***

House Joint Resolution 39 is a resolution that was prepared by Beth Brenneman at Disability Rights Montana. It requests that an interim committee to study the development of additional community resources for individuals with developmental disabilities who also have co-occurring mental illness or other certain behaviors.

**Bills We Opposed Successfully*****HB 16: Allow election administrators to determine use of AutoMARKs at certain elections***

We successfully helped to defeat this bill from becoming law. It was tabled in the House State Administration committee. This bill would have given election administrators the option of whether or not, based on their own judgment, to use auto mark machines during small elections which could have greatly reduced the availability of accessible voting machines to many individuals with disabilities. Furthermore, agencies or municipalities who hold very small elections already have the option, under Title II of the ADA, to not use the accessible voting machines if by doing so would create an undue financial burden on the agency, municipality, or entity sponsoring and holding the election.

***SB 394: Expand types of elections that may be conducted by mail ballot election***

This bill passed the Senate but we were successful on helping to get it stalled in the House State Administration committee on a 9-9 vote. A blast motion was attempted on the house floor to remove the bill from committee and place it on second reading but that motion failed by two votes so we were successful in defeating this bill. This bill would have given county election administrators the option of conducting all elections, including state and federal elections, by mail ballot. We opposed the bill because SB 394 would have negatively affected the voting rights and voting opportunities of many people with disabilities, especially in the very rural communities and areas of Montana, because it did not specify a minimum number of distributed accessible drop-off site where an AutoMARK machine would be available for people.

# YOUTH CORNER

by Mike Beers and Amanda Edwards

Since the last edition of the Youth Corner, much has come to pass in the world of youth at Summit. Two BALLS (Building Advocacy and Learning Leadership Skills) classes have come and gone, including our first venture out side of Missoula county. YODA (Youth Opening Doors through Advocacy) has continued to grow and develop around a strong core of youth. We are also gearing up for a packed summer and another delegate class for the MYLF (Montana Youth Leadership Forum).

Congratulations to Darren Larson and Mary Olson from the Missoula office for teaching their first BALLS class this spring at Big Sky High School. Mary and Darren, along with Michael Beers, taught the class to Mrs. Bryant's freshmen class. The class was a huge success and we were able to get some good feed back from the students and have also been invited back to teach the class again next year. We also took the BALLS curriculum out of the friendly confines of the Missoula County Public School District for the first time in its history, teaching the class to a great group of students in Mrs. Blacketer's class at Florence High School in Ravalli County. Mary and Mike also had the opportunity to go into the Junior and Senior history classes at Florence High School to teach them about the history of the disability rights movement and people with disabilities and how our history is the history of America. From everyone at Summit who has had a hand in developing and teaching the BALLS curriculum over the years, a big thank you goes out to Big Sky High and Florence High for welcoming us into your schools, especially Mrs. Blacketer, Mrs. Bryant and all of the students we've had a chance to talk with.

YODA (Youth Opening Doors through Advocacy) is a group that allows youth, 15-30 years of age, a place to meet and discuss the issues that face young people with disabilities in Summit's seven county (Lincoln, Lake, Sanders, Mineral, Flathead, Missoula, and Ravalli) service area. While the main YODA began in Missoula, we have recently added a new YODA to Flathead County. Amanda Edwards, one of Summit's Flathead County Peer Advocates, is the group coordinator.

The groups generally hold monthly meetings to discuss and confront pressing issues in our community, enjoy food and drinks, and participate in really fun (read educational) games. On occasion, each of the YODA groups plan a group activity to learn about new things or just to hang out and have some fun recreating. The Missoula group's first YODA night out was held at the YMCA and last month the Flathead group put on a bowling night and will be going fishing later this month. We will continue to have meetings through out the summer, so if you are a youth or know of a youth that might be interested, we would love to see you at the next meeting.

If you are a youth or young adult and would like to join YODA, we would love to have you!! It's a great way to meet new people in a friendly environment

If you're interested in participating in the Missoula YODA group, meetings are usually held at our office at 700 SW. Higgins. For meeting times/dates or questions please contact Mike Beers at [mbeers@summitilc.org](mailto:mbeers@summitilc.org) or by calling 406-728-1630.

If you're interested in participating in the Flathead YODA group, meetings are at the United Way Conference Room in the Gateway West Mall, Kalispell from 2:00pm – 4:00pm the first Saturday of every month. For more information about YODA in the Flathead, please call Amanda at the Kalispell office at 406-257-0048.

Finally, MYLF (Montana Youth Leadership Forum) will be held July 13-17 on the campus of Carroll College in Helena. We received a record number of applications this year, so thanks to all who helped with recruiting. This year's forum is certain to be a great success... please stay tuned for the next edition of the Youth Corner to hear all about it.

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### WATCH FOR SUMMIT'S JULY NEWSLETTER

Hello to our Faithful Readers,

So as you probably noticed, there was not an April edition of the Summit Independent as is normally the case. This was due to the Legislative session lasting until April 28th. We wanted to wait until the session ended before sending out a new newsletters so we could provide you with a comprehensive update of all of the accomplishments that were achieved during the session. A full newsletter complete with all the trimmings you're accustomed to will be mailed out in July so be sure not to miss it as it's sure to be jam packed full of information about what Summit has been up to for the past 6 months and what we are planning to do next.

I also want to take this opportunity to thank all of you, especially those of you who are on the Action Alert System, for all of your hard work and dedication in contacting Legislators during the Legislative session. If it were not for all of you sending e-mails, writing letters, and making phone calls to legislators we would not have been as successful during this legislative session as we were and for that, I am extremely grateful to all of you for a job well done.

Travis Hoffman  
Advocacy Coordinator/IL Lobbyist

### GET ACTION ALERTS ON TWITTER!!

twitter

Do you Twitter? You can now get Montana Independent Living Action Alerts on Twitter by following the action alert system [@mtilactnalrt](https://twitter.com/mtilactnalrt).

If you are a Twitter user and would like to follow the Action Alert System on Twitter, simply follow [@mtilactnalrt](https://twitter.com/mtilactnalrt) or go to <http://twitter.com/mtilactnalrt> and click the follow link.

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