

# Policy Flash

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*The latest news, views & information on policy issues regarding Virginia's service system  
for people with developmental and other disabilities*

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## In Virginia. . .



### ***VDA's 20<sup>th</sup> Birthday Commemorated in Proclamation...***

... issued by Governor Mark R. Warner in April. The VDA, Virginians with Disabilities Act, was signed by Governor Charles S. Robb on March 21, 1985. This landmark state legislation preceded passage of the federal Americans with Disabilities Act by five years. The ADA and VDA protect over 1 million Virginians against discrimination in employment, housing, education, voting, transportation, public service programs, and access to public facilities. In issuing the proclamation, Governor Warner stated, " While we have much to celebrate looking back over the past 20 years, we should continue to be challenged to lead the nation toward total independence and participation for people with disabilities." Last year Governor Warner signed E.O. 61 establishing the Olmstead Initiative in Virginia to comply with the Supreme Court ruling in 1999 requiring states to provide services in the most integrated setting appropriate to the needs of qualified individuals with disabilities. He also signed legislation creating the Virginia Office for Protection and Advocacy as an independent agency in the Commonwealth, strengthening advocacy initiatives in Virginia. (Governor's Press Release: April, 2005)



### ***Anthony Conyers Named New DSS Commissioner...***

... by the Governor. Conyers served for 22 years as Community Services Manager for James City County, Virginia, managing a diverse array of human service agencies, prior to assuming his new role. He succeeds Maurice Jones in the role of Commissioner whom the Governor described as being, "... an extraordinary member of our administration ... [and] ... requesting a position where he could play a bigger role in improving the lives of our most vulnerable Virginians." In response to the announcement, Health and Human Resources Secretary Jane Woods said, "The 'main thing' is ensuring that serving the people we are charged to serve is always what we are about." The Department of Social Services (DSS) serves an array of populations including those in adult care facilities who are often people with developmental or other disabilities. (Source: Governor's Press Release: April, 2005)



### ***Joint Meeting of Virginia's Olmstead Implementation Team and . . .***

... Community Integration Oversight Committee was held in March and is one of three joint meetings planned between the Team and Oversight Advisory Committee operating under Executive Order (EO) 84 to address Olmstead planning and policy issues in Virginia. EO 84 enabled continuation of the work of the Olmstead Implementation Team (the Team) and the Community Integration Oversight Committee (the Committee) from the previous year, and set forth two additional responsibilities: First, the Team and the Committee are to make recommendations regarding six specific initiatives, three of which include: establishing and maintaining a waiting list of individuals who are eligible and want to be discharged from nursing facilities and ALFs; assuring an appropriate statewide system for reporting allegations of abuse, neglect, serious injuries and deaths by community service providers; and monitoring a process by which complaints relating to denial, quality and coordination of services are managed and resolved. The Team and the Committee will also be working to update and prioritize recommendations of the Task Force Report in order to come up with a blueprint for Olmstead-related action in Virginia. (Source: Staff Liaison Monitoring Report, April 2005)



### ***Virginia Relay Partner Program Connects Businesses,...***

... with people with hearing or speech impairments who use relay telephone technology. In a press release on April 26<sup>th</sup>, the Governor's office noted that there are over 600,000 Virginians who are deaf, hard-of-hearing and speech impaired who have difficulties communicating on the telephone for emergencies, socialization or to transact business. The Virginia Relay Partners program enables businesses to receive on-line information or free on-site employee training about how to place and receive relay calls and how to distinguish them from prank and marketing calls. Relay services were federally mandated in 1991 and since then consumers in Virginia have been able to use Virginia Relay through a TTY or other assistive technology devices. Through the Virginia Relay Partner Program businesses can register as a partner and gain access to a broad array of free training and educational materials.

## **In the Nation ...**



### ***VR Programs Included in Administration's FY 2006....***

... Workforce Investment Act (WIA) Plus Consolidated Grant Program. This program would give states the flexibility to consolidate nine employment-related federal programs, including the Vocational Rehabilitation program. The Administration's proposal requires the consolidation of four U.S. Department of Labor (DOL) programs (Adult Training, Dislocated Worker Training, Youth Training, and Employment Services) and gives states the option of consolidating the Veterans Employment, Trade Adjustment Assistance, Vocational Rehabilitation, Adult Education and Food Stamps Employment and Training. The VR program, which was budgeted at \$2.6 billion in FY 2005, is by far the largest of the programs slated for possible consolidation. Advocates remain concerned about block granting of programs; they maintain that when programs are consolidated, they eventually lose their identity, advocacy base and funding. (Source: Report on Disability & Law, March 2005)



### ***Proposed Changes in Department of Labor's Data Collection Strategies...***

... concern the National Association of Developmental Disabilities Councils (NADDDC) in which the Virginia Board for People with Disabilities-Virginia's Disabilities Planning Council- is a member. The NADDDC has written a letter opposing DOL's plans to collapse data reporting categories in the Workforce Investment Act (WIA) Management Information and Reporting System. Currently the WIA collects employment information on people regarding disabilities in three categories: no disability; disability; and disability as substantial impediment. The WIA's proposal to combine the last two categories has been opposed because NADDDC believes that combining categories of "disability" and "substantial impediment" will result in unclear information about the impact of disability on peoples' ability to work. (Source: LAW Weekly, 2 (13), April, 2005)



### ***Bi-Partisan Legislation Would Increase Funds for Direct Care Workers...***

... who support people with disabilities. Lee Terry (R-NE) and Lois Capps (D-CA) introduced legislation to give states funds to increase Medicaid wages to direct support professionals. For many individuals with disabilities, direct care workers are the key to living successfully in communities rather than institutions. In 2000, the median hourly wage of personal, home care and home-health aides was \$8/hr. Turnover in this low-paying but critical area is the driving impetus for the legislation. The Direct Support Professional Fairness and Security Act (H.R. 1264) was introduced by Rep. Terry in March. Low wages for support personnel for people with disabilities is emerging as a major issue in Virginia at the Board-sponsored public comment forums on its recently-released Interim Report on Virginia's Disability Service System. (Source: LAW Weekly, 2 (13), April, 2005)

