



Speaking out for people with
intellectual & developmental
disabilities



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VOR Weekly News Update

News and views for VOR Advocates

**[Registration](#) and [Sponsorship Details](#) are now
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Washington Initiative, June 8 - 12, 2013 in
Washington, D.C. Please join us!**

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VOR and You

**1. Technology Apology: "Any sufficiently
advanced technology is indistinguishable from
magic" (Arthur C. Clarke, 1973)**

On Monday morning of this week, technology was *not* VOR's friend. Technology glitches were as mystifying as magic at times.

From server issues that kept VOR's website offline, to email purportedly from Tamie (it was not!) inviting recipients to visit all sorts of sundry and self-help websites, to Julie's email not working and more, it was one technical challenge after another early this week.

We certainly apologize for any inconvenience or alarm caused by these mystifying events. We appreciate the understanding and helpful messages we received from members. Thank you for your patience.

Julie and Tamie

2. VOR Webinar! How Congress Works: The Basics

On Tuesday, April 23, 2013, VOR's Legislative Committee Chairman, Peter Kinzler, and VOR's Washington Representative, Larry Innis, will co-host "How Congress Works: The Basics," a free VOR webinar.

How Congress Works will cover the basics, including the various hurdles a bill must clear before passage, the difference between appropriations, reauthorization, the budget and more.

The April 23, 2013 is free and will be held at 12:00 central / 1:00 pm eastern. **Registration details will be circulated by email shortlv.**

Mark your calendars and plan to join us for this informative event.

State News

3. New York: Lawmaker to File Suit Charging Abuse of His Disabled Son

***New York Times* * September 12, 2012**

Ricky Weisenberg, 54, has a severe mental disability, cannot speak or even cry, and has cerebral palsy. But his parents know their way around the system: his father, Harvey Weisenberg, is a state assemblyman and the Legislature's most prominent advocate for people with disabilities.

So when Assemblyman Weisenberg was informed that his son had been abused at the group home where he resided, he was shocked.

"I'm even emotional right now," Assemblyman Weisenberg, 78, a Democrat from Long Beach, said in an interview. "Torturing somebody, tormenting somebody, it breaks your heart. Ricky is docile. He's sweet; he's not aggressive. He's a baby. All I want to do is give him a happy day."

Assemblyman Weisenberg, more than three years after he learned of the abuse accusations, plans to file suit on Monday in Brooklyn federal court against AHRC Nassau, a local chapter of the nation's largest provider of services to people with developmental disabilities. The lawsuit is also to name as an additional defendant Dwayne Edwards, the employee Mr. Weisenberg says abused his son.

The suit highlights some of the shortcomings in the state's care and oversight of vulnerable populations, and says that Mr. Edwards, who was fired, is now working as a caregiver at the United Cerebral Palsy Association of Nassau County.

[Read more](#)

[**Read Complaint**](#)

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4. Louisiana: Pinecrest Supports and Services Center (ICFs/ID) Future is Secure

The Town Talk (Pineville, LA) * March 28, 2013

The fate of Huey P. Long (HPL) Medical Center was the topic of most interest at a town hall meeting Thursday night attended by administrators from state departments and state legislatures.

Representatives from the departments of Children and Family Services, Education and Health and Hospitals discussed their departments' priorities in the upcoming legislative session and answered questions at Zion Hill Church.

Kathy Kliebert, who was recently appointed Interim Secretary of the Department of Health and Hospitals, said she could not comment about the process involving HPL since the Louisiana State University Health Shreveport is leading that partnership effort.

As for two other locally based public health care facilities — Central State Hospital and Pinecrest Supports and Services Center in Pineville — Kliebert said they face a more certain future.

There are no plans to privatize or shut down Pinecrest, she said. The project to build a new home for Central adjacent to Pinecrest is still moving forward, she said.

5. Virginia: Death of disabled, mentally ill man raises questions

Richmond Times Dispatch * March 30, 2013

Randy A. Pease lost his life after being hit by a car despite 44 years of best efforts from his loved ones.

Pease's death on St. Patrick's Day raises a firestorm of questions. Investigations are under way by state and local agencies responsible for the care of physically and mentally disabled people at a time when neighborhoods across

Virginia are seeing an influx of those whose care is being shifted from institutional settings to community homes.

“Randy needed just the opposite of that; he needed to be confined in a way that his medications could be altered, where he would not be a threat to himself or someone else. He had become very dangerous,” said Pease’s guardian, Jim Pugh, a pastor and longtime family friend.

But Pease, instead, had been transferred to Henrico from Virginia Beach, according to family members, who were told by mental health agencies that there was nowhere else for him to go: not Southeast Virginia Training Center, state mental hospitals or the Portsmouth hospital where Pease, in crisis, had been placed last fall after he had threatened to jump out of a second-story window.

“It looked to us like a good place; my brother drove by on a visit and said he liked the look of the place,” said Harold Pease.

But the home wasn’t the place for Pease, Pugh said. “I don’t blame the home for what happened. Randy is a victim of a system that denied him the care that he needed, that wouldn’t listen to the pleas of doctors and caregivers who knew he could be a danger to himself and to others.

[Read longer, complete article](#)

6. Virginia: Mental health support provider abruptly closes

The Virginia-Pilot (Norfolk) * March 25, 2013

A mental health support provider that receives Medicaid money through the state has closed abruptly, leaving staffers unpaid and interrupting services for its intellectually disabled clients.

The state has launched an investigation of the company. Community Supported Training

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Organization. The organization also runs two group homes - one in Virginia Beach and another in Chesapeake. According to its website, the company provided in-home and group-home services, teaching clients social skills and personal hygiene as well as providing transportation to medical appointments. Clients chose the company from a list of state-licensed providers that are eligible to receive Medicaid funds for such services.

[Read more](#)

7. Connecticut: Southbury Training School group seeks legislation to open center to admissions

[The STS Home & School Association](#) * March 31, 2013

The nonprofit organization of guardians, family members and friends of residents of the Southbury Training School is calling for legislation to open the facility to admissions for the first time in more than two decades.

The Southbury Training School Home & School Association (H&SA) contends that a recent series of articles in *The Hartford Courant* about abuse and neglect in the Department of Developmental Services system and the deaths of 76 people primarily in community-based facilities, illustrates the importance of closely monitored state facilities such as Southbury. While abuse and neglect occur in all settings of care, Southbury does not have many of the problems highlighted in the *Courant* series, including low-paid and poorly trained staff and on-call nursing.

The H&SA is seeking to amend a bill that would preserve the Hartford Regional Center from closure (S.B. 129) with language to reopen Southbury to admissions.

Admissions to Southbury have been blocked since the 1980s. first as the result of a court

order (since lifted) and later as the result of legislation. The result has been the denial of care and services available at Southbury to individuals with severe intellectual disabilities, a continuing decline in the residential population at the facility and an increase in the cost per resident of operating the facility.

There are currently over 1,000 people in the state on a waiting list for residential placements. DDS has recently indicated that its solution to this problem is to increase the number of people receiving care in their homes. However, as the *Courant* series pointed out, many people have found that they are unable to maintain proper care for their developmentally disabled family members at home, even with outside help, and are asking that they be accommodated in an appropriate facility.

“Waiting for placements is extremely difficult for many of these families,” said Martha Dwyer, H&SA Board President. “The waiting list could be cut substantially if Southbury were opened to people who are currently waiting for placements, particularly those with severe and profound disabilities.”

In response to a 2010 court settlement (Messier v. STS), the state is encouraging the guardians of STS residents to move their wards into group homes. Those former STS residents appear to be given priority for placements over individuals on the waiting list.

In early March, following the publication of the *Courant* series, U.S. Senator Chris Murphy called for a federal investigation of “an alarming number” of deaths and cases of abuse primarily in privately operated group homes around the country.

[Read More](#)

8. North Carolina: A 4th state psychiatric hospital?

News Observer * April 1, 2013

A report to legislators from the state Department of Health and Human Services puts one-time start-up costs for a fourth state psychiatric hospital at \$137.2 million. Yearly operating expenses would be about \$78 million, with about \$61.9 million paid by the state.

Legislators asked DHHS to determine the cost of building a state hospital for use by a dozen counties including Mecklenburg, Union and Davidson. A state hospital in this region would be the smallest, at 200 beds, the DHHS study says.

Legislators asked for the study because patients wait an average of more than two days in emergency rooms for openings in state hospitals. The state has 866 beds in its three psychiatric hospitals, and the hospitals are considered full.

The state is building two replacement psychiatric hospitals in Goldsboro and in Morganton. The new Cherry Hospital in Goldsboro, set to open this year, will have 124 more beds, bringing its total to 314. The new Broughton Hospital in Morganton will have room for 85 additional beds.

Maximizing space at the new buildings and using the old John Umstead Hospital in Butner could add 271 beds in 2015, the report says.

Legal Update

9. Feds Take Stand Against Sheltered Workshops

Disability Scoop * April 2, 2013

The Obama administration is looking to become directly involved in a class-action lawsuit that has people with developmental disabilities seeking greater employment opportunities.

The U.S. Department of Justice filed a motion last week to intervene in a federal lawsuit brought on behalf of thousands of people with

developmental disabilities against the state of Oregon.

The individuals behind the case allege that the state is violating the Americans with Disabilities Act by not providing supported employment services, which help people with disabilities work in the community.

The first-of-its-kind suit is being closely watched by advocates as the disability community remains split on the appropriate role of sheltered workshops and subminimum wage.

Plaintiffs in the case argue that they have requested assistance to be able to obtain competitive employment for years with no luck and are trapped in a system where sheltered employment — typically paying less than minimum wage — is their only option.

Now, in a move that could add weight to the proceedings, the Justice Department wants to become a plaintiff as well. In a filing with the court, government attorneys allege that “the state of Oregon discriminates against individuals with intellectual or developmental disabilities by unnecessarily segregating them in sheltered workshops and by placing them at risk of such segregation.”

The action comes nearly a year after the Justice Department filed a statement of interest with the court arguing that limiting people with disabilities to employment in sheltered workshops is no different than restricting them to live in institutions.

Attorneys for the federal government say they tried unsuccessfully to work with the state of Oregon to resolve the complaint before asking to intervene.

Irony Alert

10. Agnews Developmental Center Could be Converted into New High School

San Jose Inside * April 2, 2013

Assemblyman Bob Wieckowski (D-Fremont) wants to turn an old developmental center into a north San Jose high school serving up to 2,800 students. Existing law requires the state to sell surplus properties to local agencies—or private citizens and organizations—for fair market value. Wieckowski introduced a bill a couple months ago that specifically requires the California Department of General Services to sell the shuttered Agnews Developmental Center to the Santa Clara Unified School District. The Rules Committee could ask the city to draft a resolution to support the bill since a new high school campus would benefit kids in the Alviso and north San Jose neighborhoods.

Calendar Reminders

*** Tuesday, April 23, 2013 - 12:00 pm central / 1:00 pm central**

FREE WEBINAR: How Congress Works: The Basics. Hosted by Peter Kinzler and Larry Innis.

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*** Sunday, June 9, 2013**

VOR Annual Conference * Washington, D.C. [Registration now available. Details online.](#)

*** Begins Monday, June 10, 2013**

VOR Washington Initiative (Begins Monday, June 10, 2013) * Washington, D.C. [Details online.](#)

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