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September 13, 2013



Speaking out for people with
intellectual & developmental
disabilities



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VOR Weekly News Update

News and views for VOR Advocates

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Coming Up: There will be no Weekly E-News Update on Friday, September 20, 2013

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VOR and You

1. Does your state maintain an “Abuse Registry”?

VOR is researching the prevalence of mandatory national background checks of direct care workers in settings in serving people with intellectual and developmental disabilities, with a focus which states make such checks mandatory, do not exclude certain providers, preferably apply these checks to volunteers, and prevent employment by individuals found to have been convicted of crimes impacting vulnerable populations.

While this information is fairly accessible, we'd also like to know which states also keep a registry and prevent employment of individuals who, in prior caretaking positions, have been charged with substantiated abuse by a state investigating agency.

Can you help?

Does your state maintain an “Abuse Registry” relating to the care of people with disabilities?

If so, contact Tamie Hopp at thopp@vor.net. Thank you.

National News

2. National Direct Support Professional Recognition Week

**The Direct Care News * Direct Care Alliance, Inc.
* September 10, 2013**

**Make a Lasting
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Sunday, September 8 marked the start of National Direct Support Professional Recognition Week.

2013 is the sixth consecutive year that the U.S. Senate has recognized this crucial workforce. This year's week of recognition was designated by a resolution led by Senators Ben Cardin (D-MD) and Susan Collins (R-ME) that was unanimously approved by the full Senate on July 31. The resolution was cosponsored by Senators Sherrod Brown (D-OH), Chuck Grassley (R-IA), Chris Murphy (D-CT), Jay Rockefeller (D-WV), Mark Udall (D-CO) and Elizabeth Warren (D-MA).

3. VOR's Comments to Commission on Long Term Care Focus on Workforce Development

On August 16, 2013, VOR submitted written comments to the Commission on Long Term Care urging its support for uniform staffing standards, including national background checks and minimum staff licensing, certification and training requirements, to ensure the consistent delivery of quality of care in community-based settings serving people with intellectual and developmental disabilities (I/DD). The Commission's authorizing statute charges the Commission, in part, to consider workforce development strategies.

[Read more](#)

Reaching the Media: GREAT Editorial

4. Don't Write Murray Center Off Yet

WILY/WRXX News * September 10, 2013 * [Guest article by State Rep. Charlie Meier \(Okawville, IL\)](#)

Since taking office, I've had many people come up and thank me for all of my work trvina

to save the Warren G. Murray Developmental Center. Lately though, after thanking me, they say they're sorry to hear it's closing on November 30. Mr. Twain put it best with his quote that the reports of Murray Center's closure in November have been greatly exaggerated.

Plain and simple, this is just another bunch of political hogwash to try and keep people scared and not actively helping to raise funds to fight this historic battle for our community's most vulnerable citizens. The Governor and his administration have been involved in a long fight with the Friends of Murray and the Murray Parents Association. Those groups have made things happen in Illinois that have never happened before.

I was told when I was sworn in that the state can't be stopped, but that is exactly what has repeatedly happened by federal and state judges. Those judges have put a halt on the transfer of residents, at least until the federal case can be heard in Chicago in early October. How can the Governor say for certain that Murray Center will close on November 30 if he doesn't know how that court hearing will go?

The Governor has tried to sell this closure as a cost savings, but that's not what happened in the case of the Jacksonville Developmental Center closure. The state's unemployment cost will be an extra \$6 million for the first six months. The costs the state will incur creating 546 new jobs to replace the ones being cut at Murray Center will cost \$7,098,000. The CRA Contract totals \$2,400,000, plus an extra \$5,300 per resident moved. Then there are all of the court costs related to HIPPA violations, which could total \$200,000 or more. This still doesn't take into account the cost of maintaining the

property, loss of taxes, and other trickle down effects. **Where's the savings Governor?**

Now let's talk about what the state says they want to do for our residents to get them out into the community. They say they'll let them garden. They even promised one that he can go to a Cubs game every week. Can you believe these administration officials would promise a developmentally disabled person they can go to a baseball game every week if they just stop fighting a transfer to a CILA from Murray? Do you really believe they will keep this promise?

We've seen reports of residents being beaten by other patients because the CILA is so understaffed they don't have the manpower to break up the fights. We've had other reports of caregivers taking residents to the hospital and not knowing where the patient's medical records are. These folks are paid to take care of these patients and they are failing.

Some of the residents of Murray Center have been there for 20 to 40 years. Their only friends and family are the other Murray Center residents and staff. This extended family is denied the right to visit their friends after they've been moved out to CILA's. Does this seem like a way to acclimate a patient to the community, locking these special people behind closed doors and denying them access to the only people they remember and love? We were told in court by the state that the Friends of Murray Center Association are little more than total strangers to these residents, but if that's the case why has every one worked so hard to protect them? Why have we spent so much time and money on legal fees? Just because you're not from the same blood, doesn't mean you're not family.

We have seen what this Governor and his administration has done to the state of Illinois. Their mismanagement has driven a once proud state with a lot to offer into the ground. At this point, I can only hope the judges that hear the Murray Center case in court will side with what's legal and right.

Please continue to pray for and support the residents and families of Murray Center. Remember to give a hug to the staff members that are worrying about both the residents and their jobs under these extreme conditions.

There's a lot of fighting still to take place, and there are a lot of good people still standing, ready to take on that fight. Murray Center only closes when we give into the Governor's pressure. It only closes when we allow the Governor to win.

The reports of Murray Center's death have been greatly exaggerated.

State News

5. Englewood council objects to closing developmental centers

**Northern Valley Suburbanite (NorthJersey.com) *
September 12, 2013**

The Englewood city council announced its opposition to the closing of two New Jersey developmental centers after raising concerns closures will separate families or force developmental center residents to move to group homes that may not accommodate their needs.

[Read more, share and comment](#)

6. New York: State Employee Unions to fight prison. MH Center. developmental center

closures

**NYSARC News Blog: Politics As It Happens *
September 6, 2013**

New York's largest public worker unions are ramping up their battle against the Cuomo administration's plans to close a slate of state facilities, with several upstate lawmakers joining the fight.

[Read More](#)

7. Texas: Family of autistic woman left in hot van had previous problems with caregivers

KHOU 11 News I-Team * July 25, 2013

The family of a 56-year-old autistic woman said there were signs of trouble by her caregivers a month before she was left in a hot van for hours on Tuesday afternoon. She later died of her injuries.

[Read more](#)

8. North Dakota: Grafton facility has new name, evolving mission

Prairie Business * September 12, 2013

The former Developmental Center in Grafton has a new name: The Life Skills and Transition Center.

The name change reflects its transformation into a comprehensive provider of services that prepares people with intellectual and developmental disabilities to work and live independently in communities, according to Alex Schweitzer, superintendent.

Today, the Life Skills and Transition Center serves 86 people on site by providing specialized services and acting as a safety net

for people whose needs exceed community resources. The center employs about 375 people.

The campus has evolved over the years to become a mixture of private and public uses to serve the Grafton and Walsh County areas. Tenants range from Northeast Human Services to the Collette Community Fitness Center. Two other campus buildings serve as elderly housing: Hancock Place, a remodeled building built in 1911, contains 19 apartments; Villa DeRemer, has 30 apartments.

[Read more, comment and share](#)

9. Florida: Troubled Group Homes Go Unregulated

***Governing* * September 9, 2013 (citing Miami Herald Story)**

When state licensing inspectors visited a Homestead-area boarding house last year, they found signs of rats, an unsafe water source and ill-maintained electrical wiring and fire safety equipment.

A background check wasn't part of the survey, but it would've revealed that an assistant director had criminal convictions for cocaine possession, burglary and carrying a concealed weapon.

State healthcare inspectors who visited the Young Residence Home in June discovered another problem: It was an unlicensed assisted-living facility.

The situation at the Homestead home is neither isolated nor unusual. Hundreds of congregate living facilities across Florida escape any state scrutiny because no agency

regulates them. They have names like Home Sweet Home, House of Joy and Nurse's Loving Heart. They call themselves shelters, rooming houses or "sober homes." Some even receive Medicaid dollars. Residents homeless, disabled or seeking rehabilitation.

[Read More, Comment and Share](#)

[Read the full *Miami Herald* article](#)

Focus on Special Education

10. IDEA and What it Means for Students with Disabilities

***EP Magazine*, September 2013 * by Beverley H. Johns, Adjunct Instructor, Special Education, MacMurray College (Jacksonville, IL)**

Three administrators at a high school recently got together and decided that they were going to place all the special education students with behavioral problems back in the general education classroom. When I got an email from a very upset teacher who knew this was wrong, she asked what she could do.

These types of situations and questions are too common today even after a law protecting students with disabilities was passed in 1975. There is still a lot of ignorance out there and it is important that all of us continue to advocate for students with disabilities and educate others about what the law really says.

What was wrong with what these administrators did?

They clearly violated the principles of the Individuals with Disabilities Education Act (IDEA 2004), the federal law that protects the rights of all students with disabilities that impact their educational performance. IDEA provides that

all students with disabilities be provided a free and appropriate public education (FAPE).

According to IDEA, the determination of what is appropriate for each student is made by the Individualized Education Program (IEP) Team which consists of the parent, the student when appropriate, a general education teacher, a special education teacher, an administrator who can commit services for the district, and someone who can interpret the instructional implications of the evaluation who can be one of the other individuals. IDEA ensures that all decisions are a team decision made by a group of people who know the student and know the needs of the student. The team is multi-disciplinary. This is a protection to the student and the student's family.

[Read more and share](#)

11. Schools Obligated To Maintain IEPs When Kids Move

Disability Scoop * September 3, 2013

Schools have a special responsibility to provide continuity when students with disabilities move from one district to another, federal education officials say.

In a letter to state directors of special education this summer, officials from the U.S. Department of Education clarified that schools have a duty under the Individuals with Disabilities Education Act to provide comparable services to “highly mobile” students as they move between districts. This group includes kids from military families, those in foster care as well as migrants and children who are homeless, among others who move often, the department said.

Prompted by concerned stakeholders to clarify the obligations that schools have under federal law, Yudin and Musgrove said they have heard reports that special education evaluations are sometimes delayed and extended school year offerings have been denied when children transfer.

However, officials said that under IDEA a child moving to a new school is entitled to receive services that are “similar or equivalent” to what was provided in their last placement. This mandate includes not only offerings provided during the traditional school year, but also any summer programming included in the student’s individualized education program, or IEP.

In cases where students transfer schools within the same state, such services must be provided until the new school either adopts the student’s IEP or develops and implements a new one. Similarly, when children move out of state, comparable services must be offered until an evaluation is conducted, if needed, and a new IEP is put in place, the letter said.

[Read more, comment and share](#)

Quotable

"Words are wind." ~ George R.R. Martin, A Dance With Dragons

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Calendar Reminders:

***Social Media Strengths: Using Facebook and Twitter to Advance Your Cause (VOR, July 2013).** [Visit VOR's website for a copy of the powerpoint presentation and an audio of the event.](#)

*** How Congress Works Webinar: [Recorded - Listen Here.](#) Tuesday, April 23, 2013 - 12:00 pm central / 1:00 pm eastern. How Congress**

Works: The Basics. Hosted by Peter Kinzler and Larry Innis.

* **AHCA/NCAL to host Intellectual and Developmental Disabilities (ID/DD) Day – October 6, 2013.** [Details online.](#)

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