



News

December 1987

JUSTICE FOR JUSTIN
RALLIES OF CONSCIENCE

"Justice for Justin" was the call when disability advocates across the United States rallied December 14th to protest the recent dismissal of RSA Commissioner Justin Dart Jr.. In Dallas about 20 advocates, led by CTD President Steve Johns, rallied at the RSA and Education Department regional offices to show their support of Dart. Similar "Rallies of Conscience" were held in: Boston, New York, Atlanta, Chicago, Denver, San Francisco and Seattle.

The rallies were held in response to the forced resignation Justin Dart, effective December 15th. The reason given for forcing Dart out was a "statement of conscience" given to a House Committee. Dart changed his statement from approved written comments and gave a "statement of conscience" outlining many of the problems within RSA and its parent entity the Office of Special Education and Rehabilitative Services, OCERS.

In Dallas Steve Johns read a statement of concern which emphasized that disabled adults are tired of being treated as tokens and tired of the paternalism heaped on us by government and the programs which are supposed to meet our needs. "Justin is a symbol. What happened to him is

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an example of the paternalism that disabled people face every day. He told the truth...Bennett...and...Will responded by dumping him."

Although the chances of reinstating Dart seem slim to none, the fight is not lost. The administration must see disabled adults are a group to be reconciled with. If we do not speak out we will be passed over. If we do not have significant advocates in our government we will be overlooked in planning and implementing laws and services. By becoming more active we will make a real impact. But it is up to us. an example of the paternalism that disabled people face every day. He told the truth...Bennett...and...Will responded by dumping him."

Apparently the rallies are having an effect. Education Department Secretary William Bennett held a conference call with his regional representatives last week. One of the topics covered was how to handle the rallies. In Atlanta a disability advocate handed Madeleine Will the statement read at the rallies and she apparently thought he was going to physically hurt her. Secretary Bennett, the White House and numerous legislators have received tons of negative public comment on this issue.

Happy
Holidays
from
CTD





TESTIFYING FOR CHANGE!

The Texas Department of Mental Health and Mental Retardation (TDMHMR) held a public hearing on December 4, 1987 in Austin.

The purpose of the hearing was to receive public input on the rules governing certification of community residential programs and licensure of crisis stabilization units.

Since there are very few community residential programs or crisis stabilization units which are accessible to people who are deaf or hearing impaired, representatives of the deaf community and other advocates felt compelled to testify at the hearing.

Interestingly enough, a representative from the TDMHMR civil rights office explained to the group that there was no need to testify and that the TDMHMR civil rights office would be more than willing to work individually on specific case problems. However, Mr. Jack Hensley, the President of the Texas Association of the Deaf (T.A.D.), stated that T.A.D. wanted to go on public record regarding the inaccessibility of crisis stabilization units and the lack of community residential programs for people who are deaf and hearing impaired.

Several people testified and the following recommendations were made:

- TDMHMR needs to IMPROVE and INCREASE services for people who are deaf and hearing impaired.
- TDMHMR needs to develop cooperative interagency agreements with the Texas Commission for the Deaf, the 16 councils for the deaf and hearing impaired, the Texas State School for the Deaf, and other agencies or organizations which provide services to the deaf and hearing impaired community.
- TDMHMR needs to begin to collect statistics and data on all deaf and hearing impaired persons who receive MHMR services.
- Regarding the rules governing the certification of community residential programs and licensure of crisis stabilization units, the rules need to address the necessity of such programs to be accessible to all Texans including those with hearing and other communication impairments.
- TDMHMR needs to develop regulations and implement policies which will ensure equal accessibility for all disabled persons.

If you are concerned about the inaccessibility of MHMR services, contact Leigh at the C.T.D. central office.



Everything you wanted to know about
DHS.....

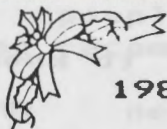
* Willie Mae Clay, CTD Board member, and counselor at San Antonio Independent Living Services (SAILS), was appointed to the Services to Aged and Disabled Advisory Committee (ADAC). This appointment came about after the disabled community, appalled that not one disabled person was appointed to the committee, took their case to the DHS Board. Willie Mae's appointment is victory, but disabled people are still underrepresented on this committee.

* ADAC created a sub-committee (as directed by DHS Sunset legislation) to review their scope and range of services to people with disabilities and to recommend expansion and changes in these services to the next legislature.

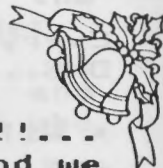
* DHS In-Home and Family Support demonstration project will soon begin in San Antonio. Eligible clients, those with developmental disabilities but not eligible for MHMR services, will be given the first cash subsidy not to exceed \$7,200 in a twelve month period. They are expecting 44 people will be served.**

* Each DHS region will be providing some respite care services with the \$700,000 allocated by the legislature. Approximately 772 people will be served per year.

* In a victory for people with AIDS the DHS Board approved the inclusion of the drug AZT under the Vendor Drug Program. Grassroots pressure and the threat of a lawsuit brought about this victory.



1987 - REVIEW



Victories! Victories! Victories!!... This year has been full of them and we should all congratulate ourselves on a job well done!

The year started off on a bleak note. Texas politics were drowning in the Budget Blues and the across-the-board cuts, proposed by Clements, would have had a drastic effect on the lives of many Texans with disabilities. But, thanks to all of you and other advocacy organizations, our advocacy efforts paid off and we held the line on maintaining current funding levels for various programs and services.

The C.T.D./T.R.A. legislative forum, Disability Consumer Day, the Candlelight Vigil (co-sponsored by the Gray Panthers and the Texas Alliance for Human Needs), combined with the NO-CUTS postcard writing campaign, the on-going letter writing, phone calls, mailgrams, and testimony all ensured that our voice was heard by our legislators and the public. Our network is strong, politically effective, and growing!

Another success this year was the C.T.D. Fun*Run. To date, we have raised more money than previous Fun*Runs and we are still receiving contributions from the Fun*Run held in Dallas (way-to-go Dallas!). El Paso is planning a Fun*Run for next spring.

The 10th Annual C.T.D. Convention was really a hit! The general assembly passed quite a few resolutions, which will direct C.T.D. advocacy efforts for the upcoming

year. The presentations given by leaders in the disability rights movement fueled the fire for future advocacy!

In closing out the year of 1987, remember the following message from Steve Johns, C.T.D.'s newly elected president: "In 1987, we have seen our collective voice make a difference. The challenge now remains before us and it is clear -- We can unite and speak from a foundation of strength! We must unite and speak out clearly. WE WILL UNITE AND WE WILL BE HEARD!"



DHS cont. from p.5

* Howard Donahoe Jr. counselor at San Antonio Independent Living Services (SAILS) has been appointed to the DHS state Medical Care Advisory Committee.

** Correction: The Texas Planning Council for Developmental Disabilities is only providing \$315,000 per year for two years for this project. In past issues CTD had incorrectly stated TPCDD was donating \$500,000.

$$QL = NE \times (H + S)$$

Genocide is not a new issue for people with disabilities. Nazi Germany's extermination campaign began not only with Jews but also persons with disabilities. Defined in the traditional sense we do not fit the "super race," or as someone in the television show Tell Them I'm a Mermaid put it, "we've been kicked out of the Pepsi generation". Yet we are people. Worthwhile people. And we deserve to be treated equally. Yet even today the issue of genocide is still with us.

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From 1977-1982 a group of doctors from the Oklahoma Children's Memorial Hospital decide to test a "quality of life" formula, $QL = NE \times (H+S)$, to see whose life was worth saving and whose was not. The formula translated means Quality of Life equals Natural Endowments (physical and mental) times Home and Family contributions plus Society's contributions. Their findings were published in the October 1983 issue of Pediatrics magazine. They tested the formula by withholding treatment from certain babies born of Spina Bifida, based on their score from this formula.



One infant whose treatment was withheld but did not die, was Carlton Johnson. A 504 lawsuit was filed on his behalf and the Supreme Court may rule on the case in the near future. This will be a test as to whether 504 applies to doctors and hospitals.

This could be the first case in which the court rules that failure to treat may violate the constitutional rights of the child and his/her parents. In this case parents were not given full information about how the doctor's decisions were being made.

"It's absurd that doctors and hospitals are immune to 504. That means that the law stops at the hospital door" said Tom Marzen, general counsel for National Legal Center for the Medically Dependent and Disabled, Inc., NCL. NCL is one of the groups bringing suit along with Spina Bifida Association of America and The Association for Persons with Severe Handicaps.

PUBLIC CONSUMER FORUMS
TEXAS COMMISSION FOR THE BLIND



The Texas Commission for the Blind will hold a series of public forums in 1988. The purpose of these forums is to provide up-to-date information to individuals interested in the service and programs offered through our agency. Through these forums, concerned citizens can offer input into the Commission's service delivery system and comment on the agency's State Plan for Vocational Rehabilitation Services.

<u>Month</u>	<u>Date</u>	<u>Place</u>
January	21	Texarkana
February	11	McAllen
March	10	Corpus Christi
March	24	Lubbock
March	30	Waco
April	12	Houston
April	19	Fort Worth
April	22	Dallas
April	28	Pasadena
May	11	San Antonio
May	25	El Paso

For more information call toll-free
1-800-252-5204, Betty Huffman,
Coordinator of Consumer Affairs.

ABLE TO VOTE

Secretary of State Jack Rains announced Monday that his office has begun an unprecedented voter registration drive, dubbed Voter '88, aimed at signing up one million new Texans in 1988.

"With our new early primary date-- Super Tuesday -- Texans have a golden opportunity," Rains said. "We must force the presidential candidates to make solid commitments on"...issues that affect our economic climate and quality of life. "Currently, Texas receives only \$1.00 for every \$1.59 it sends to Washington," the secretary noted. "That's a bad deal and it must change. If we can get the attention of the presidential candidates and force them to address this inequity, we can reverse the trend and begin to receive our fair share."

Rains emphasized that Voter '88 is non-partisan and is not designed to help a specific candidate, party or cause. "I'm not worrying about who someone votes for, I just want to make sure they vote," Rains said. "The stakes are too high in the 1988 elections. Texans must get involved so the candidates will respond."

Texans with disabilities could play a significant role if we push hard in the next two months. Two and a half million Texans could have a huge impact...but we must be registered and we must get out and vote. If you need information on voter registration contact the CTD Central Office 512/443-8252 (voice or TTY).





ARTWORKS SOUGHT FOR INTERNATIONAL ART SHOW BY DISABLED ARTISTS

Artists with a disability are invited to enter their artworks in the 25th Annual Sister Kenny Institute International Art Show by Disabled Artists. Artworks should be sent to the Sister Kenny Institute in Minneapolis no later than February 28, 1988. The Art Show will be held from April 15 to May 13, 1988. Cash prizes will be awarded to artworks judged best in their category and artworks will be on sale during the Art Show. For more information contact Mary R. Bensman (612) 863-4482.

The Art Show is co-sponsored by the Abbott-Northwestern-Sister Kenny (ANSK) Auxiliary and the Sister Kenny Institute.

Artists interested in entry forms or further information may contact: Art Show, Public Relations Department, Sister Kenny Institute, 800 E. 28th Street at Chicago Avenue, Minneapolis, MN 55407 USA; 612/863-4482.

Sister Kenny Institute is a comprehensive rehabilitation center and hospital, accredited by the Joint Commission on Accreditation of Hospitals (JCAH) and the Commission on Accreditation of Rehabilitation Facilities (CARF). Sister Kenny Institute was named the "Outstanding Rehabilitation Facility" in 1984 by the National Association of Rehabilitation Facilities.



Coalition of Texans with Disabilities

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