

**From the Executive Director**

## Lelsz lawsuit ends as people move into community

By Roger Webb

On August 15, without much fanfare or publicity, the last three residents moved out of the Fort Worth State School and the institution closed. Two and a half months later, the 21-year-old lawsuit "*Lelsz vs. Kavanagh*" ended, having pushed Texas to improve conditions in state schools for people with mental retardation, reduce the number of people in the facilities, and increase the number in smaller, community housing programs.

In dismissing the lawsuit on Nov. 2, U.S. District Judge Barefoot Sanders pointed out that the 1991 Settlement Agreement had

been met: the first of two state schools targeted for closure was shut and more than 300 individuals had moved from the 13 state schools into community placements during each of the last four years. Of these 1,330 residents, more than 95 percent went to homes with six or fewer beds.

Sanders also pointed out that the Travis State School in Austin is virtually closed and the state has substantially increased spending on community-based services, allowing people with mental retardation to live more dignified and normal lives.

Less than 90 residents remain at the Travis State School, and, like the Fort Worth facility, its grounds

are being converted to other uses. The school, which housed about 600 residents and employed almost 1,500 individuals when the closure decision was made, is to be completely closed in 1997. The Fort Worth facility had 342 residents and more than 1,200 employees prior to its closure.

### Ending Institutional Bias

While the decision to close the schools has remained highly emotional, Texas has successfully completed the first step in ending the state's institutional bias. Yes, closure has been traumatic at

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## Conference challenges everyone to work for inclusion

### COMMUNITY NOW!



People throughout the nation have demonstrated that individuals with disabilities can attend regular schools, work in regular jobs and live in homes of their own. Despite this, many individuals are still waiting for control over their own lives, real choices and opportunities, respect and friends. Too many people are isolated in nursing homes and other institutions, segregated schools and classes, sheltered workshops, day activity centers and even their homes.

Inclusion doesn't just happen. On May 8-10, 1996, "*Community Now: A Call to All!*" will explore the role we all have in building inclusive communities. The conference, which is sponsored by the

Texas Planning Council, the Texas University Affiliated Program, and Advocacy, Inc., will be held at the Hyatt Regency Dallas/Fort Worth Airport.

A pre-conference leadership seminar will be held May 7 on organizational change for supported employment. It is sponsored by the Supported Employment Systems Change Project.

At the conference, national and state leaders will discuss pressing issues such as: inclusive education, person centered planning, allies and advocacy, family support, technology and natural supports. A few of the speakers are: Al

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## 21-year-old lawsuit ends *Continued from page 1*

times, especially for individuals moving out of the schools, family members and staff involved. Change is rarely easy.

However, the Texas Department of Mental Health and Mental Retardation (TXMHMR) tackled the issues head-on. They looked at all aspects of closure — from planning for each resident individually to considering the needs and desires of family members, employees and the local communities.

It has been an enormous learning process — for both individuals and the state — as people worked together to ensure that the whole community benefited from the change, as well as individuals who moved out of the state schools.

### Converting School Grounds

One way the communities are benefiting is through the new uses for the state school land. Tarrant County bought a large part of the Fort Worth State School's 270-acre campus to create the Resource Connection. This one-stop, social-service shop will coordinate services for various state, local and nonprofit health, human services and education agencies.

In the meantime, a school for pregnant and parenting teens has already opened on the campus. Another part of the land will be used for a new state office building, and 34 acres will be retained as recreational woodlands.

Of the 437 acres at Travis State School, 237 acres are already being converted into a state jail for nonviolent criminals, the Travis County Community Justice Center which is scheduled to open in January 1996. The remaining 200 acres will become Vision Village, an intergenerational community where residents provide mutual supports for each other.

### New Homes & New Lives

Just as the communities are benefiting from new uses of the land, former residents are benefiting from more individualized placements, increased choice and more control over their own lives.

"I can't picture myself being anywhere else but here," one woman told a reporter. "In the past month I've gotten a new puppy, I've gotten a new job, and I go to the grocery store."

It's also been exciting to watch as many parents who opposed closure have become its supporters, as they witnessed improvements in their sons' and daughters' lives.

### What's Ahead?

While remarkable progress has been made in ending the state's institutional bias and advancing personal liberty, there are still many issues that need to be addressed. Issues like: what comes next; the continuing need to shift resources to serve more people in the community; and alternatives to group homes.

Texas currently has about 5,500 residents in 12 state schools, down from 13,700 in 1973 — more than a 50% decrease. Another 34,500 individuals are served in community homes and programs.

Despite the difference in populations, an overwhelming majority of state funds still goes to the 12 state schools. These are located in Abilene, Austin (2), Brenham, Corpus Christi, Denton, Lubbock, Lufkin, Mexia, Richmond, San Angelo and San Antonio. We must continue to transfer funds to community services and move people off extensive waiting lists, rather than maintaining large institutions for a limited number of residents — residents who could be served in the community.

Longtime experience with community services has demonstrated that it is possible to put the individualized services and supports in place so anyone can live in and participate in community life. These supports can also make it possible for people with disabilities to live wherever and with whom-ever they choose.

The next step in community integration is to provide supports so that people who move out of state schools — as well as other individuals with disabilities — can live in their own homes and apartments.

It's also critical that people are integrated into the community in natural ways, with personalized supports and friendships. We must ensure that large institutions aren't replaced by multiple, small institutions. It's not enough to be in a neighborhood; people with disabilities must also be part of the neighborhood and community. ❖

## Conference

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Condelucci (on community inclusion), Herb Lovett (behavior), Norman Kunc and Emma Van der Klift (inclusive education), Anne Donnellan (rethinking retardation and facilitated communication) and Cary Griffin (career planning).

Mini courses will also be offered on topics such as conflict resolution, negotiations, building alliances and personal futures planning.

A copy of the conference agenda, registration form and session descriptions will be mailed to everyone on the "Highlights" newsletter mailing list by March. Individuals who don't receive the materials, can contact Leeta Murphy, Credentials, Inc., 4360 S. Congress, Ste. 102, Austin, TX 78745; 512-440-7606. ❖

# Initiative, coalition work to increase housing options

For years, people with disabilities have had little or no control over where, how and with whom they live. Services (such as therapies, transportation and training in independent living skills) have been linked to facilities — making it extremely difficult for people with disabilities to live in conventional apartments, condominiums, duplexes or their own houses.

Only nine percent of Texans with developmental disabilities over age 15 owned their own home or leased an apartment in 1989, according to the "Survey of Consumer Satisfaction with Services for Persons with Developmental Disabilities in Texas." Only 29% chose where they lived, and 23% selected their roommates.

While these figures have changed some, most people with disabilities still live with family members or in group homes, foster care or institutions. A recent U.S. Department of Health and Human Services study shows that nearly one fourth of adults with developmental disabilities live in group homes.

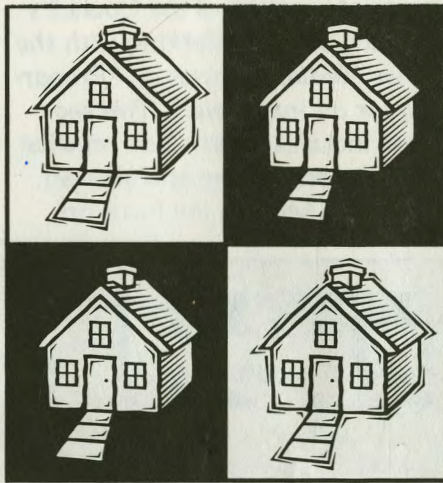
In June 1994, the Council started a three-year grant to Diana McIver and Associates, the Consumer-Controlled Housing Initiative (CCHI), to help individuals and organizations in Texas learn how to develop affordable, consumer-controlled (owned, leased or rented) housing. The Council and CCHI also are participating in the Texas Home of Your Own Coalition, a team effort of some 20 disability and housing-related organizations.

## News You Can Use

**State agency rules now on Internet:** Rules governing 157 state agencies (the Texas Administrative Code) are now available on the Internet. The Internet address is: <http://www.sos.state.tx.us/>

## Consumer-Controlled Housing Initiative

The Council's housing grant, CCHI, is providing training and technical assistance across the state. It will complete the last of six regional workshops on Jan. 19 in Arlington. Previous workshops were held in Austin, Lubbock, Houston, El Paso and Laredo.



CCHI also produced a workbook, "Housing Choices in Texas: Creating Opportunities for People with Disabilities," that was given to conference participants. Additional copies of the workbook are still available.

The workbook, which was designed for consumers, housing and real estate professionals, service providers, advocates and others, addresses:

- Key concepts of consumer-controlled housing;
- State and federal policy on disability and housing issues;
- Barriers to consumer-controlled housing;
- Legal aspects of consumer-controlled housing;
- How to promote consumer-controlled housing at the local level;
- Financial resources for individuals and organizations; and
- Other resources on housing.

For a copy of the workbook, write to the Consumer-Controlled Housing Initiative, Diana McIver and Associates, 500 Capital of Texas Highway North, Building 6, Suite 100, Austin, TX 78746-3389 or call 512-328-3232.

## Home of Your Own Coalition

The Texas Home of Your Own Coalition, which is headed by the United Cerebral Palsy Association (UCP) of Texas, was created this summer to work on housing options and issues. It includes people with disabilities, social service agencies, representatives of a for-profit housing training organization, bankers, realtors, and a nonprofit mutual housing corporation.

The coalition plans to work with seven potential homebuyers it has identified in Central Texas in the first year, and to share information with other parts of the state. The coalition will also look at barriers to home ownership, ways to overcome the barriers and creative financing mechanisms.

One potential financing mechanism is an experimental project being developed by Fannie Mae that seeks to remove traditional barriers to home ownership. It is modifying underwriting procedures for credit checks and methods of qualifying for loans.

The coalition is receiving technical assistance from the National Home of Your Own Alliance and networking with housing coalitions in other states. The national alliance grew out of a demonstration project in New Hampshire that helped 25 people move from a state hospital to their own homes. It is based at the Institute for Disability at the University of New Hampshire and funded by the federal Administration on Developmental Disabilities.

For more details on the Texas alliance, call Joyce Dawidczyk at UCP/Texas at (512) 472-8696. ♦

Highlights

## Project employs consumers as personal assistants

*"Before coming to the Personal Care Attendant Program, I had worked as a dishwasher in a restaurant...My job as an attendant has given me emotional, financial, mental and spiritual stability...Three years later, I am doing great and I love my job!"*

— Herman

In order to live and work in the community, many people with disabilities need personal assistance services. But it can be difficult to find and keep qualified assistants. Meanwhile, people with disabilities also have a high rate of unemployment.

Under a four-year grant from the Council, Goodwill Industries of Lubbock, Inc., recently addressed both of these issues by demonstrating the feasibility of employing individuals with disabilities as personal assistants.

An overview of the project, *"Working as a Personal Assis-*

*tant: A Career Opportunity for Individuals with Disabilities,"* is now available. The 52-page report covers recruitment, training, placement and retention of personal assistants, using a supported employment model, as well as other information that can be used in replicating the project.

"This is a career option that should be made available to people with developmental disabilities," the report concludes. "Some people have done very well in this career and derive a great deal of job satisfaction from being in a helping profession."

Forty-one individuals were hired as personal assistants after completing some 24 hours of classroom training. They usually started out by assisting one individual for about 10 hours per week and gradually assisted more individuals to build up to an average of 18-20 work hours a week. About 15%

were able to arrange their schedules and transportation to work 40 hours a week.

Out of 159 referrals for personal assistant services, primarily from home health agencies, 105 individuals were served. Most were over 60 years old and wanted services in the morning. The main reasons that some referrals weren't accepted are: transportation wasn't available; a nurses aid certificate was required; and a bilingual or live-in assistant was desired. Some assistants did accept temporary, live-in jobs.

Almost two-thirds of the services (61.6%) were primary home care. Another 27.7% was respite.

For a free copy of the report, write to: Nancy Arms, Texas Planning Council for Developmental Disabilities, 4900 North Lamar Blvd., Austin, Texas 78751-2399, or call 1-800-262-0334 (in Texas); 512-483-4080; or TDD 512-483-4099. ❖

## DPRS awards family support grants to 8 more communities

The Texas Department of Protective and Regulatory Services (DPRS) awarded family support funds to eight more communities this fall. These federal funds are allocated under the Family Preservation and Support Services Act which Congress passed in 1993 to develop and expand services that help prevent out-of-home placement of children and to help reunify families.

While funds flow through DPRS, services are not limited to families involved with the child protective services or at risk of abuse or neglect. The intent of the law is to help increase the strength and stability of all families and to help families through supports so they can stay together. Funds were awarded to:

❑ Harris County Collaboration for Family Preservation Services (serving children in three elementary schools), DePelchin Children's

Center, (Attn: Charlotte Donner), 100 Sandman St., Houston, TX 77007; 713-802-3830;

❑ San Antonio Families: Together and Safe Family Support Collaboration, United Way of San Antonio and Bexar County, (Attn: Mary Lance), P.O. Box 898, San Antonio, TX 78293-0898; 210-224-5000 ext. 261;

❑ St. John's Neighborhood Collaborative, City of Austin HHSD, (Attn: Linda Welsh), P.O. Box 1088, Austin, TX 78767; 512-326-9210;

❑ Galveston County Children's Consortium, Galveston County Health District, (Attn: Pat Eitel), P.O. Box 939, La Marque, TX 77568; 409-763-8531;

❑ We CAN Committee, United Way of Metropolitan Collin County, Attn: Don Campion at United Way of Metropolitan Dallas, 901 Ross

Ave., Dallas, TX 75202-1901; 214-978-0031;

❑ Longview Community Partnership (for "South Longview"), Longview Drug Task Force, (Attn: Alice Day), 119 W. Tyler, Suite 250, Longview, TX 75601; 903-237-1019;

❑ San Angelo Health and Human Services Commission, Healthy Families San Angelo, (Attn: Carolyn Wiseheart), 334 W. Chonco, San Angelo, TX 76903; 915-658-2771; and

❑ Burnet/Llano Community Resource Coordination Group, Buckner Boy's Ranch, (Attn: Mike Whitecotton), Rt. 2, Box 26, Burnet, TX 78611; 512-756-2871.

Please contact these organizations if you want information on their services. Previous funds were awarded to recipients in Dallas, Fort Worth, El Paso, McAllen, Bryan, Abilene, Brownwood and Dalhart. ❖

## **What's ahead?**

# **Medicaid changes considered on state, federal levels**

As Congress continues to debate Medicaid reform, the outcome remains a big unknown. Will Medicaid still be an entitlement for people with disabilities? What about other people who qualify for it? Will services be provided through managed care?

At this point, no one can be sure what will happen. A lot of different things are happening that could affect Medicaid's fate, at both the national and state levels.

For starters, Congress continues to debate the possibility of block grants, limiting eligibility and other methods to control Medicaid's rapid growth and cost. Congress is also debating how much money each state should get under Medicaid reform.

President Clinton, on the other hand, vetoed a Balanced Budget Reconciliation Act (B-BRA) on Dec. 6 which, among other things, would have converted Medicaid to a block grant. Clinton also included Medicaid as an entitlement in his latest budget proposal, released the next day.

On the state level, Texas submitted a Medicaid 1115 waiver

proposal to the federal government this fall to create the State of Texas Access Reform (STAR) program, a statewide health care reform program that would convert much of the current Medicaid program in Texas to managed care. The approval and implementation of an 1115 waiver, however, may not be necessary depending on Congressional actions.

Meanwhile, the state is still moving on managed care. Texas has already implemented two managed health care pilot programs under a 1915(b) waiver and additional pilot programs are planned. Applications are due by Jan. 17, 1996, to provide managed health care under Medicaid for people in the 30 counties that make up the Travis, Bexar, Lubbock and Tarrant county service areas. These projects would begin next fall and serve about 324,000 individuals.

In related news, the Texas Statewide Health Coordinating Council has been holding forums across the state on "Managed Care: What does it mean for your

health." Its findings will be incorporated into the State Health Plan, as a guide for legislators and other policymakers. ❖

## **Grant to develop 4 transportation models in Texas**

While more than a dozen state agencies and 30 programs in Texas either provide or require transportation for their clients, inadequate transportation continues to be a problem throughout the state. It prevents many people with disabilities from accessing health and human services, including generic services, and from living where they want, accepting jobs they qualify for and being fully integrated into society.

To help address this problem, the Council has awarded a five-year grant to the Office of Client Transportation Services (OCTS), inside the Texas Health and Human Services Commission.

Under the grant, OCTS will develop four models for local coordination of transportation in Texas. Each model will be located in a different type of setting: metropolitan, urban/rural, rural and border. Each model also will have a local coordination team that works within the community to create a transportation system that meets the needs of all of its citizens, including people with disabilities. The sites for the models will be selected by April 1996.

Later on, OCTS will evaluate the models for statewide applicability and develop materials that can be used in replicating them. OCTS also will develop a statewide process which will consolidate planning for the funding and delivery of transportation services. ❖



### **Video Wins Award:**

*Council Chair Linda Parrish and Executive Director Roger Webb admire the Barbara Jordan Media Award presented for the 14-minute video "ABCs of Inclusive Child Care." The video features children with disabilities in inclusive child care settings and explores the benefits of inclusion. It is available free by writing the Council or calling 1-800-262-0334 (in Texas) or 512-483-4080. The award was made by the Governor's Committee on People with Disabilities. ❖*

## Stipends offered to enable more to attend conferences, events

More than 4,375 Texans have benefited from the Council's stipends program since it was started in 1990. This program provides funds to organizations that sponsor conferences, workshops and other events in Texas that enhance independence productivity and community integration for people with developmental disabilities so that more consumers and family members from our state can attend them.

Organizations which are interested in requesting the stipends must submit their application at least 120 days before the event. If multiple organizations are sponsoring the program, only one may apply. Applicants are encouraged to apply early enough to ensure there is plenty of time to publicize the stipends, if approved.

For more details on the stipends program and an application kit, write to Lester Sanders, Texas Planning Council for Developmental Disabilities, 4900 North Lamar Blvd., Austin, Texas 78751-2399, or fax your request to 512-483-4097. ❖

## Working with the News Media

### Preparation is key to successful interview

No matter how you catch the media's attention, the key to a successful interview — and good coverage of disability issues — is to plan ahead. Know what points you want to make, practice what you want to say, keep your remarks focused and anticipate hard questions.

To help you prepare for an interview and to take advantage of your limited time with a reporter, the third segment of the Council's ongoing series, "Working with the News Media," focuses on "Preparing for an interview." This segment includes information on what to do before, during and after an interview, keeping the focus on

issues, and influencing the reporter's perspective, as well as a checklist on interviewing. Most of the information applies to prearranged, structured interviews, but parts can be adapted to on-the-spot interviews and telephone interviews.

Previous segments of "Working with the News Media" include an introduction to the news media, preparing a letter to the editor or guest editorial, and a resource list.

If you would like to be added to the mailing list for "Working with the News Media," write to Nancy Arms at the Texas Planning Council or call 1-800-262-0334 (in Texas) or 512-483-4080. ❖



# Highlights

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