



House of Representatives
COMMONWEALTH OF PENNSYLVANIA

HOUSE DEMOCRATIC POLICY COMMITTEE HEARING

Topic: Disability Policy Issues

Community Behavioral Health – Philadelphia, PA

January 16, 2020

AGENDA

3:00 p.m. Welcome and Opening Remarks

3:10 p.m. Panel One:

- State Senator Christine Tartaglione, 2nd Senatorial District
- Karen Goss, Director, Mid-Atlantic ADA Center
- Neil McDevitt, Executive Director, Deaf-Hearing Communication Centre
- Sandra McRae-Wright, Program Director of Open Door Clubhouse, COMHAR, Inc.
- Bryant Greene, Owner of Always Best Care Senior Services and Member of Pennsylvania Homecare Association

3:50 p.m. *Questions & Answers*

4:10 p.m. Panel Two:

- Latoya Maddox, Independent Living Specialist, Liberty Resources
- Liam Dougherty, Board Member, Disabled in Action of PA, Inc.
- Harry Barnum, Deaf Outreach & Education Coordinator, Liberty Resources
- Stash Serafin, Motivational Speaker and Blind Ice Skater
- Lori McFarland, Advocate and Actor in *A Fierce Kind of Love*, which explores the diversity of the disability community.

4:50 p.m. *Questions & Answers*

5:10 p.m. Closing Remarks

Testimony of Karen Goss

Good Afternoon, thank you for the opportunity to speak before you today. My name is Karen Goss and I am the Director of Community Outreach for TransCen, Inc. and the Co-Director of the Mid-Atlantic ADA Center serving MD, VA, WV, DE, DC, and PA.

TransCen, Inc. is a non-profit 501(c)(3) organization, that, since 1986, has been a preeminent leader in providing training and technical assistance in school to work transition initiatives, systems change in education, career development of individuals with disabilities, and related research and dissemination. TransCen, Inc. is headquartered in Rockville, MD with a satellite office in San Francisco, CA (WorkLink), Milwaukee, WI (CEO), and affiliated staff located across the country.

The Mid-Atlantic ADA Center is a federal funded project of TransCen, Inc. and is one of 10 federally funded Centers across the United States providing information, training, resources, and education on the American with Disabilities Act (ADA). The Mid-Atlantic ADA Center, as do all 10 Centers across the United States, operate a Technical Assistance (TA) Line to answer questions on the ADA. Dialing the national 1-800- number connects callers to their specific regional center. Phone lines in the Mid-Atlantic region, are manned 8:30 AM-5:00 PM allowing callers to ask, and get answers, to a vast array of questions on the five titles of the ADA. Those five titles include, Employment, State and Local Government, Public Entities, Telecommunications, and Miscellaneous, which requires the U.S. Access Board to issue accessibility standards. Allows for attorney's fees to be awarded to prevailing parties in suits filed under the ADA, and Requires federal agencies to provide technical assistance.

In today's society with the increase of internet access across the country, many are turning to our website ADAinfo.org or ADATA.org for general information on the ADA. This availability of web access has lead to the ADA Centers often answering questions that are much more complex in nature. However, 30 years into the ADA, all 10 Centers across the country still answer very basic questions on the ADA, and thus are still sharing with callers what the law states, and what the regulations state are their rights and responsibilities under the ADA. It is important to please note, the ADA Centers do not offer legal advice and are not funded to serve as advocates for the caller, nor are we allowed to advocate in any way. But we do serve as a very knowledgeable resource for our local communities.

As we have heard the ADA will celebrate 30 years in July 2020. The fabric of society has changed over the course of 30 years, but the importance of understanding our civil rights has not. The ADA is a Civil Rights Act. Statistically speaking, across the United States the disability community continues to experience discrimination in title I, employment (although our national numbers for the employment of IWD has gone up slightly), as well discrimination under the other titles of the ADA. We seek to increase the understanding of voluntary implementation of the ADA through our resources, education and training. TransCen, Inc. sums up this importance through our mission statement "Meaningful work and Community Inclusion". The ADA seeks to level the playing field for individuals with disabilities in all aspects of the american life in the hopes that it will lead to Meaningful Work and Community Inclusion. Increased awareness of our rights and responsibilities under the ADA through

continued education and training serve to shift the outcomes in positive ways for people with disabilities. It is critical to stay informed on all aspects of the ADA, and continue to gain knowledge through the resources available to each of us, thus impacting the voluntary implementation of the ADA at the state and local level.

Again, thank you for the opportunity to share this information with you today.

Legislative Testimonial – 30th Anniversary of ADA – January 16, 2020

Neil McDevitt
Executive Director
Deaf-Hearing Communication Centre.

Like many people in this room, I can say that I can date my life in a “before” and “after”. I was 16 years old when the ADA was enacted. On July 25th, I went to bed without the rights for full and equal participation in our American society.

On July 26th, I woke up with those civil rights in-hand. And there are millions of us who share that same experience. The youngsters often forget the battles and struggles that were fought to achieve these milestones.

At the same time, there are people who, even 30 years later, refuse to comply with these civil rights or worse, they are actively working to dismantle the infrastructure built by the ADA .

Deaf, hard of hearing or DeafBlind people are a unique segment of the disability population. The ties that bind this community are often linguistic and cultural. Community members often resist the idea of being labeled as “disabled”. Where many in the disability advocacy community push for greater integration, Deaf community members often press for stronger support of existing systems that may appear to promote separation.

Beyond this, we continue to see major gaps and barriers among covered entities in terms of communication access. Where many accommodation solutions involve infrastructure and making investments or purchases that can then be capitalized, for Deaf and hard of hearing people, those costs are operational. As a result, covered entities view these costs as a drag on their profits. It often becomes a battle-of-the-wills between the covered entity and the Deaf person to get the accommodations needed.

As an example of this, we once had to advocate for a Deaf mother and her Deaf husband during the delivery of their child. The hospital insisted on using a video remote interpreting system that was glitchy and kept freezing. The husband called our office in tears because his wife was in the middle of getting an epidural shot and the VRI was still glitching. They weren't exhausted from delivering a beautiful baby. They were exhausted fighting for their civil rights to participate fully in the birth of their child.

Our current state and federal laws have not created incentives or clear expectations for covered entities to comply with the law. It continues to be viewed as a measure of charity by covered entities, not as a civil right guaranteed by law.

Testimony from
COMHAR, Open Door Clubhouse
by Sandra McRae-Wright

Hello My Name is Sandie McRae-Wright, Program Director of COMHAR, Open Door Clubhouse.

COMHAR provides a full range of human services that enable individuals to change and grow in way that give true meaning to their lives.

COMHAR's Open Door Clubhouse is a program that offers employment supports for individuals with mental health disabilities based upon the acclaimed Fountain House Model. A working community is at the heart of this **model**.

By working together, members regain confidence, make friends, learn new skills, and make progress towards achieving their employment and educational goals. The opportunity to be a part of a successful working community has proven to be restorative and builds dignity and self-esteem.

The ADA has been helpful to clubhouse members across the country since its inception. While many members are aware of the ADA and the rights it affords them, Clubhouses around the country have also played a pivotal role in ensuring that clubhouse members are aware of their rights under this law. Clubhouses are able to work alongside our members, who are individuals living with mental illnesses, to understand and advocate for the accommodations and resources that are available to them under this law.

The clubhouse model helps individuals living with severe mental illnesses to live vibrant and meaningful lives within their communities. Clubhouses are communities of support that offer a multitude of opportunities for members to return to paid employment, to access opportunities for education, housing, independent living – and to be a part of a true community built upon real, genuine relationships. There are over 300 clubhouses worldwide, and nearly 20 across the state of Pennsylvania. Every day, clubhouses are helping their members to regain meaningful roles in our communities –and the ADA has certainly helped us in these efforts.

Here today are three members of the Open Door Clubhouse to share how their lives were changed the day they came to the Clubhouse seeking help and a sense of purpose.

To learn more about COMHAR , Open Door Clubhouse, contact Sandie McRae-Wright at sandiew@comhar.org

To learn more about clubhouses, visit www.clubhouse-intl.org.

For information about clubhouses in Pennsylvania, contact Jill or Martina: jvaliant@pennfoundation.org; buffingtonm@csgonline.org

If you're interested in starting a clubhouse in your area, we'd love to help – and so would Clubhouse International! info@clubhouse-intl.org

Testimonies from COMHAR, Open Door Clubhouse

Hi, my name is Jonathan and I would like to share with you my experiences at the Open Door Clubhouse. I had come to the clubhouse a few years ago and right from the beginning I felt as if I was a part of family. Both the members and staff made me feel comfortable; to them I owe much gratitude.

Now I enjoy welcoming new members with as much love as I have been shown throughout the years. For me the clubhouse has given me a life with purpose and meaning. I value the name Open Door because our door is open for us to achieve our dreams and also without an open door I can testify that my peers and myself can tend to be shut ins.

Seeing my peers grow and thrive in our community is a reward in itself. Here at the clubhouse we are not disabled but instead totally capable of reaching new heights. We support each other with the respect and dignity which builds us up in a world which all too often can seem to break us down.

Coming to the clubhouse is so much more than simply building your skills and finding a job. It's more about connecting with others so we can integrate on any social level. We have much to offer the world. We are artistic, poetic, multi-lingual and together our variety of abilities makes for quite a surprising production.

As long as the clubhouse is still standing our lives will improve day by day. Without the clubhouse so many of us would feel lost. It is our home away from home, our family and our new lease on life.

And so far that has been my experience, thank you for taking the time to read.

Jonathan S.

My name is Clyde. I've been coming to Open Door Clubhouse for 9 years. Before coming to Open Door Clubhouse, I was dealing with depression, heard voices and was a danger to myself. After coming to the Clubhouse I found hope and a new life. Today, I am dealing with my thoughts and behaviors better.

The Clubhouse gave me more independence and motivation to move ahead in life. I really wanted to have a job and go back to school.

With the support of the Open Door Clubhouse and my rights under The Americans with Disabilities Act my dreams became a reality. I worked at Penn Dot for over 5 years; just recently I was hired at Wawa, and am currently taking college courses at Community College of Philadelphia.

All this was made possible through the enactment of The Americans with Disabilities Act.

Thank you.

Clyde K.

To: Disability Summit

From: Lisa Smith from Comhar's Clubhouse

Today, Sandy from the Clubhouse, asked if I'd be interested in sharing about my experience with the clubhouse. I immediately said yes. I am so happy to do so. Before I tell you about my experience with the clubhouse, I feel you need to know who I am and where I came from in order for you to know why I love the clubhouse so much.

I am a divorced mother of four, beautiful, intelligent, funny, children. I divorced in 1999. At that time I was struggling to stop drinking. My life was in shambles. I had no real work experience. No college education. I felt hopeless. I had no one to help me. I was alone. In October of 2000, I had my last drink. I became mentally ill and was in and out of the hospital. While being in the hospital my third time, the doctor came to me and told me that my house had been sold, with everything in it, and that I was now homeless. I had a choice to move in with my cousin in Texas or go into the shelter. I lost everything! And thank God my ex husband, and I know it must have been hard for him, took the children and bought a new home for him and the kids. I was unable to care for myself or my children; and that, till this day pains me so. I was starting my life over. I asked God to help me. I totally surrendered to Him.

My first day at the shelter, a woman, who I never met until that day, said to me, "you have many gifts you haven't received yet". I have never forgotten what she said. I felt her words were from God that day. He has been taking care of me ever since and since then I have learned so much about myself through the help of many people. All because I let God lead the way.

In order to maintain housing, one of the criteria I needed to meet was to volunteer my time. I didn't want to, but I did. And I found it helped me so much. I volunteered for years but I became tired of it so my counselor at Comhar's SIL program suggested I go to Comhar's clubhouse. I was somewhat familiar of the clubhouse. Truthfully, I did not want to go, but I trusted God and the people around me, so I went.

Let me tell you how I thought back then. The reason I did not want to go was, I did not want to be reminded that I had mental health problem. I thought it was bad enough there was something wrong with me and so I didn't want to be reminded of it by going to a place for people with disabilities. Yes, that's what I thought. And when I found out that they got people jobs, well, that was the furthest thing from my mind. Me work? I had no confidence whatsoever. I felt completely incapable of working. I secretly felt so embarrassed of my lack of education and experience.....they just had no idea. I didn't think anyone could help me. I felt too hopeless and incapable.

[MORE ON BACK]

I soon came to find myself at home at the clubhouse. I loved the staff! And I loved the other people that attended the clubhouse. Omg, I was learning. I was learning that I could do things. The staff believed in me. They helped me. They gave me confidence like I had never known before. I also, am a singer/songwriter. They encouraged me with singing as well. They had a 30th Anniversary party and they asked me to sing. I was so happy to do so that I wrote a song about the clubhouse. I couldn't believe it, but they loved me for just being me. They encouraged me to be all that I could be. I am crying as I write this....I don't know if I can convey enough how important it is to have the clubhouse open to people with disabilities. I have grown so much since I became involved with the clubhouse.

After being there for awhile, they felt that I would be a good candidate to work at Penndot. Let me tell you , it scared me. Who me? Oh I don't know about that I thought, again, feeling incapable. But Sandy, whom I just love, and Jeff, encouraged me. And so I went to the interview.. And to my surprise I got the job! What was great about it was, Sandy was able to sit with me and train me. I wasn't alone. That was over three years ago now. I never thought in a million years that I would say, I can do this! I like being able to work. I know today that I am capable even though I don't have a college degree. And it's all because I went to the clubhouse. I am so thankful for the American's with the Disabilities Act. I can't say enough good about it! Because of this Act, it has changed my life for the better!!!!.

So many people today are from broken homes and in need of guidance, in need of encouragement, in need of someone being patient with them, in need of knowing that they are cared for and in need of knowing that they can make a difference. (four years ago I didn't realize I was in need of all that) That's what they have done for me! How awesome is that! I have learned to talk to people because of the clubhouse and because of my job. Most of my life I was very shy. The clubhouse has had a major impact on my life. I am in my fifties now but I want to make a difference. I want to give people hope. I'm not sure exactly how to do that yet but one day..... Thank you for the opportunity to share how the Disabilities Act has made a difference in my life.

Lisa

Note: Attached are two songs I wrote

- 1) Song of Thanks
- 2) Open Door Clubhouse Enjoy!!!

What a Clubhouse offers its members!

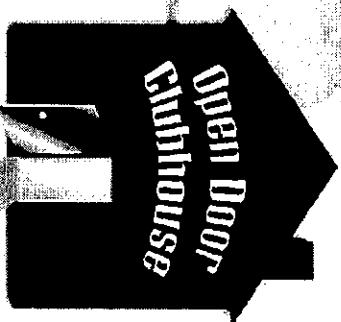
- a work-ordered day in which the talents and abilities of members are recognized and utilized within the Clubhouse.
- participation in consensus-based decision making regarding all important matters relating to the running of the Clubhouse.
- opportunities to obtain paid employment in the local labor market through a Clubhouse-created Transitional Employment Program. In addition, members participate in Clubhouse-supported and independent programs.
- assistance in accessing community-based educational resources.
- evening/weekend social and recreational events

Mission Statement

The Open Door Clubhouse assists its members in their recovery from mental illness and its effects, by focusing on the member's strengths, talents, and abilities for the enhancement of their rehabilitative goals, instilling a sense of purpose and confidence, and an opportunity to achieve their highest level of **INDEPENDENCE.**

Open Door Clubhouse
3147 Emerald Street
Philadelphia, PA 19134
(215) 427-5763

Recovery happens in a Community.



COMMUNITY

Recovery Happens in Community

Recovery is the process of rehabilitation. At the Open Door Clubhouse, our purpose is to support persons with mental illness as they work on their recovery, transitioning from a role of dependent patient, to that of an independent individual. The focus of rehabilitation at the Open Door Clubhouse is on living, learning, working, and recreating in the community. This begins within the clubhouse as members are empowered to take on a role within the clubhouse community, giving them a sense of personal responsibility, and shared ownership of the clubhouse. Members also have opportunity to develop relationships with others, as they function within the clubhouse, carrying out their responsibilities. In their clubhouse experience, members develop an increased sense of self, as they redefine themselves through new relationships and responsibilities. As members progress at their own pace, they are encouraged to move out into the community at large, through employment opportunities offered by the clubhouse. Ultimately, the purpose of Open Door Clubhouse is to support our members as they re-establish themselves in the community. *Community is the heart of who we are, and simply put, why our clubhouse works.*

The Role of Employment

Employment, the primary modality of rehabilitation, occurs on several levels within the clubhouse model: the *Work Ordered Day (WOD)*, *Transitional Employment Placements (TEP's)*, and *Supported/ Independent Employment (SE or IE)*. The following is a description of each of these categories:

Work Ordered Day: The WOD

occurs within the clubhouse and entails the work generated in the operation of the clubhouse. The WOD engages clubhouse members and staff together, working side-by-side. Members have the opportunity to participate in all the work of the clubhouse. The work in the clubhouse is divided into Work Units as follows:

Administrative Support Services

Unit: Word processing, spreadsheets data entry, record keeping for purposes of reporting outcomes measures, filing, reception desk and switchboard operations, tutoring, assisting fellow members in attaining educational goals.

Food Service Unit: Food preparation, food service, operation of cash register & accounting functions (spreadsheets), dishwashing, and housekeeping.

The work of the clubhouse is rehabilitative, in that the focus is on the individual member's strengths, talents and abilities, and is designed to help members regain self worth, purpose and confidence.

Transitional Employment

Placements: TEP's are job placements held by the clubhouse, in community businesses or industry. The criteria of TEP's are as follows:

- Members work at the employer's place of business.
- Members are paid at the prevailing wage rate (at least minimum wage), and are paid directly by the employer.
- TEP's are part time and time limited, generally 15 – 20 hours per week and six to nine months in duration.
- Selection and training of members for a TEP is the responsibility of the clubhouse, not the employer.
- Clubhouse members and staff prepare reports on TEP's for all appropriate agencies dealing with the members' benefits.

Supported/ Independent

Employment: SE/ IE positions are held by members. The clubhouse assists and supports members to secure, sustain and to better their employment. Members who work independently may continue to enjoy all the clubhouse supports, at their discretion. Typically, a member will take on a SE/ IE position following the successful completion of several TEP's.



*Your
partner in
bringing care
home*

Testimony

House Democratic Policy Hearing

Bryant Greene, MBA

Owner, Always Best Care Senior Services

Philadelphia

Board Member, Pennsylvania Homecare Association

January 16, 2020

Good Morning,

Chairman Sturla, Representative Hohenstein and committee members. Thank you for this opportunity to discuss home-based care in Pennsylvania. My name is Bryant Greene, and I am the owner of Always Best Care Senior Services in Philadelphia. My agency serves Philadelphians and supports keeping members of our city active in the community. I am also a member of the Board of the Pennsylvania Homecare Association, a state trade association representing more than 700 organizations that bring medical care, personal care, and end-of-life care into thousands of people's homes every day across the Commonwealth.

I will lead off today's discussion providing you with a brief overview of home-based care – what it is, who we serve, and who pays, and then I will address the Americans with Disabilities Act and the impact it has on the constituents that home-based care agencies serve. Finally, I will discuss the challenges faced by the industry in providing care to Pennsylvanians with disabilities. I am more than happy to answer any questions about my testimony following my remarks.

OVERVIEW

At the Pennsylvania Homecare Association, we like to say, "There's No Place Like Home in Pennsylvania." It is the desire of most individuals to age in place and receive care and supports in their own homes. Pennsylvania has one of the fastest growing aging populations in the nation, and many of these individuals need assistance remaining ambulatory and active within the community. Individuals who are frail and/or disabled should not be relegated into institutions if they are otherwise able to remain in the community as contributing members of our society. Under Community HealthChoices, which is the Medical Assistance (MA) managed care program here in Pennsylvania, individuals receive non-medical, personal assistance services that help them do exactly that.

Agencies like mine provide care to over 100,000 individuals in the Southeast part of the state alone who need help with everyday activities. For example, a wheelchair-bound individual may only need help getting out of bed and ready for work in the morning. This individual, who is gainfully employed, does not need to be institutionalized. Institutionalization in this case could actually jeopardize this individual's quality of life, and cost the Medicaid program significantly more in funding.

THE ADA & HOMECARE

The Americans with Disabilities Act was passed by Congress and signed into law in 1990. It is one of America's most comprehensive pieces of civil rights legislation, prohibiting discrimination on the basis of a disability and guaranteeing that all Americans are able to participate in mainstream American life by being active members of their communities, seeking and maintaining employment, and participating in public and private programs and services.

Additionally, the *Olmstead* case was a pivotal Supreme Court case in our country's history. Decided in 1999, the Court in *Olmstead* held that individuals with disabilities have a qualified right to receive state funded supports and services in the community rather than institutions when the following three-part test is met:

1. The person's treatment professionals determine that community supports are appropriate;
2. The person does not object to living in the community; and
3. The provision of services in the community would be a reasonable accommodation when balanced with other similarly situated individuals with disabilities.

In the years since *Olmstead* was decided, the homecare industry has seen major growth in individuals choosing to receive supports in their own homes. This is especially important for individuals who don't otherwise need the full and expansive list of services provided in skilled nursing facilities or other long-term care facilities.

ISSUES FOR PROVIDERS

As lawmakers, you will be asked to address several issues throughout this session dealing with older Pennsylvanians and individuals with disabilities. A significant issue you will hear about is the state's movement to managed care when it comes to long term services and supports. Community HealthChoices (CHC) is now fully implemented throughout the state. This has been a tremendous shift for providers as well as consumers. Prior to managed care, agencies billed Medicaid directly and consumers chose their care providers within the MA network. Now the responsibility for payment to providers falls to one of the three CHC managed care organizations (MCOs) that an MA consumer chooses.

For the MA consumer this means that there is one insurer managing the comprehensive scheme of care for that individual, the idea being that the whole person is treated as opposed to separate systems. This holistic approach provides the opportunity for better health outcomes for our constituents. Better outcomes result in cost-savings to the Commonwealth's Medical Assistance program. I should also mention that care in the community is a fraction of the cost of institutional care.

For providers in the Southeast, this change has brought a need to learn new billing systems for three different insurance companies, at the same time that agencies are implementing an electronic visit verification (EVV) system. EVV, mandated by federal statute, documents the time spent with a consumer and the types of services that were provided. Homecare providers under the MA program are paid in 15-minute increments and depending on where the person who is receiving the service lives, reimbursement ranges from a low of \$17.87 in Pittsburgh to \$19.91 in Philadelphia. This recent increase of 2% took effect on January 1, 2020. We thank you for your support in last year's budget negotiations and ask for your continued support in the upcoming budget, because, while improved, the rate is not where it needs to be. Additional reimbursement rate increases are critical for quality homecare to continue to be provided and grow.

The hourly rate must include a wide range of costs that agencies incur:

- Wages and benefits
- Unemployment compensation
- Workers' compensation Criminal background checks on all employees, which was \$8 in 2017 and today has increased to \$22
- Child abuse check if a child resides in the home, which has increased from \$10 to \$15
- FBI Clearance on every employee, if OAPSA legislation passes, which costs another \$24
- Training
- TB checks

As a result of these additional expenses, the actual hourly rate paid to workers is an average of \$11.50.

With the increasing enrollment of seniors and individuals with disabilities, we must stabilize this provider community and address the issue of better wages for the people who are truly lifelines to thousands of Pennsylvanians with disabilities.

Governor Wolf's administration has adopted policies to enable more people to remain in their own homes for as long as possible, which PHA applauds and fully support. We also appreciate this committee's interest in holding a hearing on the issue of access to the services under the ADA. We feel that low reimbursement rates could be perpetuating workforce shortages and, in turn, access to care issues.

WORKFORCE SHORTAGE

We are proud of the work we do to ensure thousands of Pennsylvanians who wish to stay safe and independent within their communities are able to do so. But, like many others within the long-term services and supports industry, we are facing a major workforce crisis. According to a Home Care Benchmarking Study by national data

leader Home Care Pulse that was released earlier this year, the average turnover rate for direct care workers is at an all-time high – 88% in 2018, up from 50% in 2016.

This crisis stems from the lack of funds available for agencies to recruit and retain a qualified workforce. Homecare providers struggle to compete with other care settings and industries that can pay more in wages because the MA reimbursement rates for personal assistance services are so low. A potential caregiver can work at Chick-Fil-A and make \$15-\$16 per hour while direct care workers are receiving \$11.50 per hour on average to provide important services to members of our community who are frail or have disabilities. We simply cannot compete to meet the demand. MA providers in the homecare industry are unable to increase wages and benefits when the reimbursement rate is statutorily set by the General Assembly.

Today, I urge you to consider these pressures as you make decisions that affect vulnerable Pennsylvanians that rely on homecare to stay safe and independent in our community.

The advantages of keeping Pennsylvanians in their homes and in their communities are well known by this committee and your colleagues in the General Assembly. I commend you for recognizing how important the ADA has been over the past three decades in supporting people and enabling them to live quality lives in their communities despite a disability. However, in order to build on progress, the services that keep people independent must also be supported. On behalf of the industry, I thank you for hearing our thoughts today. I am happy to answer any questions you may have at this time.

Testimoy of Latoya Maddum

My name is Latoya Maddox, I am a Philly/PA ADAPT activist/leader, and I am an Independent Living Specialist at Liberty Resources. A little over 18 years ago I left a residential institution where I lived for 10 years. I was only 8 years old when I moved in and 18 when I left. The only reason I can think of why I was there, is because I made a request of my social worker to find me somewhere where I can be more independent, (use my motorized chair). I was tired of having to wait on my foster parents and their children to help me get around the house. When I first moved to this residential facility everything was fine, but after being there approximately two and a half years, both good and bad things started to happen. One good thing was teachers and staff noticed how I academically surpassed the education levels of the other students at the facilities school, and my teacher, building manager, and other got me back into the mainstream school system. I was smart, I knew it and they knew it too.

Had I known about Liberty Resources or any other Center for Independent living back then, I would have advocated to move back home to the community and figured out a way to get the same supports and services I received at the institution at home. People with disabilities make up 16% of Philadelphia population and to know Senators Sharif Street and Anthony Williams voted for legislation to keep two terrible institutions, Polk and White Haven State Centers open is mind-boggling! Senator Street, Senator William why are you voting on legislation outside your districts that continue to segregate PWD from society? Do any of your constituents live in either facilities or those two counties? For 45 years, we have been working to get individuals out of costly & unnecessary institutions like Polk & Whitehaven and the community setting has worked for those who wanted to be out of these institutions. We cannot go backwards. My civil rights under the Olmstead US Supreme Court decision make unnecessary institutionalization a violation of the Americans with Disabilities Act. Please vote no on SB 906 and get everyone in their own homes, back with their families and friends, or in a different living setting with the right supports and services.

I eventually had enough of seeing my friends and staff I built close relationships with come and go. I advocated to come back to Philadelphia, to be closer to my family and for more freedom. I moved to Inglis House where I quickly realized I was back in an environment which I was attempting to move away from. I was the youngest to move in and the fastest one who successfully moved out. I have been living on my own for 16 years. Liberty Resources Nursing Home Transition program assisted me with moving out. I found my own apartment, LRI's NHT team helped financially with the security deposit, household items, food, and other stuff I needed to live independently.

[MORE ON BACK]

When I first moved out on my own it was rough, I moved a lot in between the years of 2005 and the end of 2007. It made me realize how scarce accessible affordable housing is in Philadelphia. Three years ago, my close friend who is now my colleague became homeless with her then 3-year-old daughter. My friend, myself as her advocate, LRI and other advocates fought hard for her and her daughter to just be allowed to stay in the shelter until permanent accessible housing was obtained so they would not become homeless on the streets. Since then I have continued advocating for over a dozen of disabled individuals who have become homeless due to rising unaffordable rent, and there is shortage of affordable, accessible housing in Philadelphia. Some people with disabilities' incomes fall 20% below to the 30% of the American Median Income guideline. Depending on the income, some PWDs cannot afford \$400 and up a month for rent, which is why housing displacements are happening, let alone those with disabilities which a shelter setting is no good for them. We need more money put towards affordable, accessible integrated housing in Philadelphia. Please focus on increasing accessible affordable housing instead of wasting scarce taxpayer dollars on old, expensive, segregated institutions like the Polk & Whitehaven Centers.

Respectfully,

Latoya Maddox

Philadelphia

TESTIMONY OF LIAM DOUGHERTY

Good afternoon and thank you for the opportunity to testify today. My name is Liam Dougherty. I am a board member of Disabled in Action, a member of the Mayor's Commission on People with Disabilities, and a member of the SEPTA Advisory Committee, which offers input and guidance to SEPTA on access issues important to me and other members of the disability community.

As an old city, Philadelphia has a long history of accessibility challenges. Our city began at a time when disability access was not considered during construction. Philadelphia is caught between two sides: adapting to meet new legislative and cultural standards, and preserving its historical character that was essential to the founding of our country. Complicating this dynamic is that Philadelphia is a poor city, having a higher poverty rate than any other major US city and also the highest percentage of people with disabilities (16% Pew Research figure).

Despite the passage of the ADA 30 years ago, SEPTA is still not completely an accessible system. Decades of advocacy have won a fully wheelchair accessible bus fleet, but there are frequent issues with this service, ranging from systemic disrespect for passengers with disabilities to driver ignorance of proper safety procedures. SEPTA has acknowledged these problems following our prolonged advocacy efforts, and is working with us to design a "secret shopper" evaluation to identify and fix these problems. The previous General Manager, Jeff Knueppel, was cooperative with the disability community, frequently meeting with us to hear our input. It is too soon to tell if his replacement will continue these productive meetings.

While there has been substantial good progress, all of our efforts have not been able to resolve SEPTA's old infrastructure barriers. Currently, only half of Broad Street Line subway stops and approximately a third of Regional Rail stops are wheelchair accessible. A major trolley line that runs through the heart of the city has trolley vehicles that cannot accommodate wheelchairs. These structural problems cannot be addressed with anything other than a significant financial support to fund the necessary capital improvements needed to bring SEPTA into full compliance with our ADA.

In 2018 SEPTA committed to building a totally accessible system by 2025. However, they have recently said that they can no longer publicly give a timeline for equal access. Our community demands a public transportation system that is built to serve all of the riding public, including riders with disabilities, veterans, and Seniors.

Testimony of Harry Barnum

My name is Harry Barnum. I work as the Deaf Outreach and Advocacy Coordinator for Liberty Resources Inc. (LRI) Organization. I have been working with the Deaf community in Pennsylvania since 2010. I am constantly having to advocate for the Deaf community to have equal access to the many public services given in PA. Our rights for independence have been ignored too long. Our concerns must be addressed

One main issue in PA is that the Department of Labor and Industry placed the Office of Deaf and Hard of Hearing (ODHH) under the Office of Vocational Rehabilitation (OVR). This was not a smart move as OVR does not address the needs of the deaf community and we feel we were just pushed to the side. ODHH must operate as independent entity rather than under supervision of Dept of Labor and Industry's OVR and staff at all levels. ODHH should also have leadership that identify as deaf or HOH (Hard of Hearing) and must be skilled in A.S.L. (American Sign Language).

The State also needs to provide funding to ODHH for communication access such as interpreting services to schools, businesses, private or public agencies VRI, foreign translation for the deaf, open and closed captioning, Picture in Picture (PIP) and other deaf access.

All public services in Pennsylvania- The police departments, fire departments, Emergency Medical Technician (EMT), etc., should be aware of and able to easily connect to ODHH. They should be able to turn to ODHH to connect them to interpreting services, Video Relay Interpreting (VRI) and Video Phone (VP) when they require communication access. ODHH should also provide referrals to interpreters and interpreting agencies. This will reduce tension and delays for Deaf people receiving public services in accordance to ADA laws and principles.

During emergency issues, the news broadcasts must use interpreters next to the public announcers and provide closed captions or use PIP (Picture in Picture) interpreters with closed captioned. In the future it would be ideal to include PIP for general news too as well.

It would be great to have our State Reps and Senators out there making sure all public service organizations have VRI available and ready to use at their locations. I'm talking about utility services, police departments, fire departments, hospitals, social welfare and SSI/SSA. Deaf people prefer live interpreters in intensive and comprehensive discussions, but many of these organizations should also have VRI available.

A great example of a state being inclusive and accessible for its deaf community is Minnesota. The Minnesota Commission of the Deaf, Deaf/Blind & Hard of Hearing, has funded interpreting teams of deaf and hearing people to create an emergency television broadcast workshop and to explain a new closed captioning law that effects the deaf community there.

[MORE ON BACK]

As a Deaf activist I work with many groups that use nonviolent direct actions, including civil betterment, to end audism in employment and education and to break down communication barriers. We want equal access for all.

People with disability and supporters of the ADA have marched, presented, fought for, and celebrated the ADA for 30 years now. I am growing tired of repeatedly explaining that the deaf community deserves and demands equal rights.

Many minority groups who demand civil rights are finally getting the attention they deserve. I don't feel the Deaf Rights community is a part of this movement. The 30th Anniversary of the ADA will be held this summer. This year let ALL of us work and celebrate the ADA together.

LRI's Deaf Advocacy and Outreach team would like to see more legislative action taken to ensure equal access for the Deaf, Hard of Hearing, and Blind/Low Vision Deaf community. We would love to see more support from our state reps and senators. We invite you to join us at the next Deaf rally for a unified front to improve the Deaf community's future in PA.

Thank you for your attention. If you have any questions, please don't hesitate to ask.

1/16/20 HOUSE DEMOCRATIC POLICY COMMITTEE PUBLIC HEARING

STATEMENT FOR THE RECORD BY SHAWN ALEONG

First, I would like to say thank you to the Democratic Policy Committee for letting me talk about this important law that shapes our democracy and started a change for greatness—and that is the Americans with Disabilities Act. As I look back over my life, I can see how important the ADA was for me achieving my goals and making sure that not just me, but everyone else just like myself, have the opportunity to go and not be discriminated against. The ADA is a staple for disability freedom and a part of liberty. Even though the ADA was passed and some movements were made, we still have a long way to go because people just like myself are still being discriminate against—still being paid sub-minimum wage, still not having the same opportunities as other people, and still sometimes getting caught up in the system of discrimination and destruction. I would like to see if the ADA can be implemented more in forcing companies and public entities to be mindful of people that have disabilities. As well as having mandatory training for all public and private entities. Once this is done we can truly call this a good nation and country for all.

Testimony
Presented to the
House Democratic Policy Committee
Representative James Roebuck
Thursday, January 16, 2020

30th Anniversary of the Americans with Disabilities Act (ADA)

Everyone has something to contribute to society. Let me repeat: Everyone has something to contribute to society.

The year 2020 marks the 30th anniversary of the Americans with Disabilities Act (ADA). This landmark civil rights legislation impacted the lives of millions of people with disabilities in the United States through improved access to employment, government services and programs, and goods and services from businesses.

Sometimes it was as simple as installing water fountains low enough so someone in a wheelchair could access it. We all now know that curb cuts make it easier for people with walkers, wheelchairs and scooters to cross the street.

A friend of mine, years ago, insisted that a new subway stop in Temple University's Campus be equipped with an elevator, even though it would be the very first in the system. But you have to start somewhere, and eventually every single subway stop included an elevator.

If we look around our workplace, we can find even new ways to make adjustments so that everyone can be included. And remember – anyone who has ever broken a leg or a wrist and has been temporarily incapacitated – benefits from the ADA. And those of us who wear glasses, who have hearing aids, who use a walker – belong to the army of Americans who benefit from the ADA.

I want to thank my colleague, Representative Joe Hohenstein, and the ARC of Philadelphia for working on creating this special 30th anniversary celebration of the ADA.