

Message from the Chair

The Fair Shake Network (FSN) is a statewide cross-disability coalition that supports legislation, funding, and revisions to policies and practices to make widespread changes to the long-term care support systems to reduce West Virginia's reliance on institutional care. These changes must be accompanied by the development and expansion of community-based long-term care options, enabling people with disabilities to fully participate in their communities. Currently, a disproportionate amount of Medicaid spending in West Virginia is used to provide services in nursing homes and other institutional settings. These same services could be provided in the homes and communities of individuals at a lower cost or revenue neutral and in a way that respects the choice and dignity of each individual. The Fair Shake Network is asking the WV Legislature to establish legislation and/or policy changes to end the institutional bias which exists in WV. FSN believes that people with disabilities have the civil right to live, work and play in their own communities, therefore, "There's No Place Like Home". Below you will find the FSN 2011 Disability Agenda priorities.

Vanessa VanGilder, FSN Chair

Full Implementation of the WV Olmstead Plan

FSN supports the full implementation of the *WV Olmstead Plan* signed by Governor Manchin in October 2005. The *WV Olmstead Plan* addresses the State's obligations under Title II of the Americans with Disabilities Act (ADA) as supported by the U.S. Supreme Court's decision in *Olmstead v. L.C. & E.W.* In that decision the Supreme Court ruled that services provided by the state, i.e.: Medicaid, waiver services, etc., must be provided in the most integrated setting appropriate to the needs of the person being served. Full implementation of the *Plan* includes the following policy changes:

- ✚ **Elimination of barriers or mechanisms (whether in state law, the Medicaid State Plan, the State budget, or otherwise) that prevent or restrict the flexible use of Medicaid funds to enable eligible individuals to receive support for appropriate and necessary long-term care services in the settings of their choice;**
- ✚ **Implementation of rebalancing concepts and self-directed community-based services allowable through the Center for Medicaid and Medicare Service;**
- ✚ **Allow funding currently supporting individuals in nursing homes, ICF/ID facilities (formally known as ICF/MR), other group homes, and state psychiatric hospitals to "follow the person" into community-based services and supports;**
- ✚ **Elimination of waiting lists for home and community-based waiver programs;**
- ✚ **Fund services to people with traumatic brain injuries through a Medicaid waiver program;**
- ✚ **Ensure people relying on ventilator care can receive the supports they need in their community; and**
- ✚ **Eliminate Out of State Placements.**

Community-Based Services Act

FSN supports the Community-Based Services Act. It will require DHHR to design and implement a comprehensive plan to improve community-based supports that allows eligible individuals the services/supports needed to live and participate in a valued and meaningful way in community life by implementing the policy changes listed above.

Health Care

FSN supports a comprehensive health care system that provides the most affordable, appropriate, effective, quality health care services that includes people with disabilities and their families.

FSN **will not** support any legislation that seeks to hasten death

by the medical professionals who would be in a position to judge the value of a person's life by invoking "quality of life" concerns.

WV Medication Administration by Unlicensed Personnel Act

FSN supports improvements to the *WV Medication Administration by Unlicensed Personnel Act* and the associated Rules so that people with disabilities can receive the supports they need to keep them safe and healthy while increasing flexibility in the self-administration/direction of medications.

Education

FSN **will not** support policies that promote segregated educational settings. FSN will support legislation that ensures equal opportunities for students with disabilities to be educated in regular education classrooms, in their home school, and in other inclusive educational settings.

Public Funding

The FSN supports the restoration of and increases in State and Federal funding necessary to maintain or enhance critical support services that allow people with disabilities to live, work, and play in the community.

- ✚ **Ron Yost Personal Assistance Services Act (RYPAS)**
- ✚ **DRS Long-Term Attendant Care Program**
- ✚ **Independent Living Services**
- ✚ **ID/DD Waiver (formally known as MR/DD Waiver)**
- ✚ **Aged and Disabled Waiver**
- ✚ **Birth-to-Three-Program**
- ✚ **Family Support Program**
- ✚ **Supported Employment**
- ✚ **Customized Employment**

Other

The FSN will monitor all legislation introduced that may affect the disability community. The FSN will take positions and actions to protect services/supports and the civil rights of all people with disabilities.

The FSN urges the Legislature and the Executive Branch to invest in people with disabilities and their invaluable contributions to West Virginia.

**Please Join
The Fair Shake Network
In Supporting
The FSN 2011 Disability Agenda**

The Fair Shake Network is an association of West Virginians dedicated to a “fair shake” for people with disabilities and to the belief that diversity makes our communities stronger.

The Fair Shake Network has a vision that people with disabilities have an equal opportunity to fully participate in their community and realize their dreams.

The mission of the Fair Shake Network is to educate policymakers and the public about the concerns of people with disabilities and to ensure an effective voice in the development of public policy.

The Fair Shake Network receives funding through grants from the West Virginia Developmental Disabilities Council, Appalachian Community Fund, Southern Partners Fund, DRS, and through dues and contributions.

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Visit us on our Website: at www.fairshake.org
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Join the Fair Shake Network Today

Name: _____ E-Mail : _____

Address: _____

City: _____ State: _____ Zip _____

Phone: _____ Fax: _____

- Advocate Membership - \$20 (Individual)
- Assembly Membership - \$50 (Family)
- Alliance Membership - \$150 (Organizational)
- Independence Membership - \$250
- Freedom Membership - \$750
- Justice Membership - \$1,500
- Liberty Lifetime Membership - \$5,000 (one-time, lifetime payment)
- I am not interested in joining at this time but would like to make a donation*
- Please contact me with further information about the Fair Shake Network and its activities.

***Donations are tax deductible.**

**2011
Disability Agenda
“There’s No Place Like Home”**



FAIR SHAKE NETWORK

"Never doubt that a small group of thoughtful, committed people can change the world. Indeed, it is the only thing that ever has."

Margaret Mead