

OFFICE OF HANDICAPPED CONCERNS

WILL'S CORNER, OKLAHOMA



Volume 3, Issue 4

November, 2002

(Serving the Disability Community of Oklahoma)

OLMSTEAD

In the last year, we have had a couple of articles about the Ticket to Work because this is a major new thrust in social services in Oklahoma and across the country. The Social Security Administration is sending out invitations to Oklahomans who receive Social Security benefits who would like to return to the work force. Social Security has designated employment networks across Oklahoma to provide supports necessary for beneficiaries to return to work if that is something they would like to do. We continue to receive calls about the Ticket to Work because it takes awhile for all of us to receive the information and then make an informed decision based on that sound information.

That is the reason I would like to talk with you a little about Olmstead right now. The Olmstead United States Supreme Court decision of 1999 marks a shift in thinking about how we deliver social services. It raises the question of where we choose to deliver Medicaid social services. Do we

“Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it’s the only thing that ever does.”

Margaret Meade

choose an institutional setting or do we choose a community setting? The court came out in favor of a community setting and ruled that the Medicaid authority in the state of Georgia must serve two women with mental challenges in the community if they prefer that over receiving services in an institution. Of course this U.S. Supreme Court decision has implications for Medicaid programs in every state in the nation including Oklahoma.

If I were to become severely disabled in Oklahoma and did not have private insurance and my family

(Continued on page 6)

Quality Daycare for Children with Disabilities

Those of you with young children have long been interested in quality daycare services for your children. Quality daycare may be difficult to find, but if your child has a disability, that care may be almost impossible to locate. Many daycare providers feel reluctant to accept children with special needs because of a lack of knowledge in working

with disabilities. Providers may have concerns over liability and/or the amount of staff time required to meet the needs of a child with special needs. Because of this lack of providers, many parents feel they must stay home with their children to assure their pre-school children receive the

(Continued on page 2)

Quality Daycare for Children with Disabilities (continued)

care they need and deserve. Very slowly we are beginning to have daycare providers who will accept our children, and we are beginning to have some choices in care for our children. Easter Seals of Oklahoma Child Development Center offers one such option. This beautiful October afternoon, I am visiting with Sue Tabor who is the Program Director for the Child Development Center at Easter Seals of Oklahoma.

“Sue, I have your address in my address book as being up on northwest 63rd Street in Oklahoma City. When did you come down here to the medical complex area on northeast 13th?”

“We moved into these new facilities very recently. Would you like a little tour of our child development center?”

“I thought you’d never ask.”

“Well, first let me show you our new playground facility. It’s just outside these doors.”

“Wow. The view of the medical center is great.”

“What do you think about this impact surfacing around all the equipment?”

“Feels like a rubberized pad.”

“This helps prevent and reduce outside play injuries.”

“So you can’t even get a skinned knee anymore. We didn’t have those kinds of protection in my day.”

“Injuries to children with disabilities can be more dangerous than to children without, and our goal is

to have about 20% of our enrollment to be children with special needs.”

“You accept children with special needs?”

“Easter Seals has always been about working with children with special needs. We are moving more towards providing child care across the country also.”



“Sue, how many children do you serve now?”

“We serve about seventy children now with our youngest six weeks old and our oldest five years.”

“You don’t have an after-school program?”

“Not right now, but we are planning to have a kindergarten and after-school program in the future. We also look to expand our total enrollment. We have a license for 100 children now, and we are moving to about 150.”

“Sue, I know very little about daycares, but I know if I were a parent I would be wanting to know about the quality of care for my child. Are there ratings in the business of daycare?”

“Yes. The NAEYC (National Association for the Education of Young Children) offers a three-star rating as its top quality daycare. We presently have a two-star rating and have applied for three stars.”

“So, how are daycares rated?”

“They look at employee salaries, the education of

(Continued on page 7)

SOME TIPS ON VOCATIONAL REHABILITATION

(with information from James Sirmans at the Office of Handicapped Concerns)

I am with James Sirmans this morning in his office at the Office of Handicapped Concerns in Oklahoma City. The Office of Handicapped Concerns is the federally-designated entity to be the watchdog of the delivery of VR services in the state of Oklahoma. Serving as the CAP (Client Assistance Program) Director for Oklahoma, James works with Vocational Rehabilitation counselors across the state of Oklahoma as an advocate for those who receive services but have concerns which they have been unable to resolve on their own. James has a copy of all policies of Vocational Rehabilitation and is in frequent contact with VR programs all over Oklahoma including the Indian tribal Vocational Rehabilitations.

“James, I consider you as the office point of contact on VR services and an information source for our state. Do you have any tips or interesting tidbits of information for Oklahomans who use VR services or may use them in the future?”

“One thing Oklahomans with disabilities who are returning to work might like to know about is the closing of priority groups three and four in the consideration of their application for VR services.”

“What is priority group three and four?”

“Vocational Rehabilitation divides their applications for services into four categories from one to four depending on the severity of the disability of the person applying. Priority group one is considered the most significant with the disability considered less significant as you approach category four.”

“Can you give me an example?”

“Always remember that Vocational Rehabilitation considers each application on a case-by-case basis. You are placed in one category or another based on

“Vocational Rehabilitation divides their applications for services into four categories from one to four depending on the severity of the disability...”

your ability to perform tasks of daily living such as eating, dressing, and ability to be employed. Whatever the disability, the more that disability affects activities of daily living (ADL's), the higher the priority in receiving VR services. It is categories three and four which were closed for services beginning July 31 of this year.”

“So who decides the rating of my application?”

“Your VR counselor makes that decision based on their State Plan which is revised annually.”

“What if I have been placed in category four, and I feel that does not accurately reflect my disability? What recourse do I have?”

“Your counselor can recommend that you undergo testing to determine your level of disability. You can ask for this testing and ask that VR pay for the testing.”

“What if I get the testing, and the results still come out that I should be in category four?”

(Continued on page 4)

SOME TIPS ON VOCATIONAL REHABILITATION (continued)

“If you still have a concern about this, you may call me here at CAP (800-522-8224). I can serve as your advocate. I can investigate the matter, and I can make sure that Vocational Rehabilitation is abiding within their published policy.”

“You can't tell me that I am going to be moved up on the priority if I call you?”

“I can tell you that I will investigate your concern. I will call your counselor if I need to, and I will confirm if the counselor has acted within policy. If the counselor has acted within their policy, your response at this point is to work towards getting a change in policy if that is your wish.”

“How is the decision made on whether VR has enough money or not?”

“Keep in mind that VR operates on federal and state funds which pays for all services, salaries, office rentals, everything. By July of this year, VR expenditures were \$65,000 per day and at this rate they would be out of funds by April 2003. In order to maintain existing services and in anticipation of future applications for services, they chose to close categories three and four. Again, I want to tell you that if you have been rated in categories three or four, that does not mean that you are not eligible for services. It does mean that your counselor cannot develop an Individual Employment Plan (IEP) for you authorizing services. Rather, you will be put on a waiting list and served when funding levels are up again.”

“So James, help me understand here. Is this something like the Medicaid cuts which were recently announced by the Oklahoma Health Care Authority?”

“That's a good way to understand what has happened.”

“You mentioned earlier that I have the right and responsibility as a citizen of Oklahoma to seek

change in the public policy if I feel that it would better serve citizens and our state. What can I do if I want to work on the level of changing VR policy?”

“Contact Melinda Freundt at the Oklahoma Rehabilitation Council (800-845-8476) and ask to attend the public meetings which the council conducts quarterly. If you want to address the council, you may ask to get onto the agenda by identifying yourself and sharing what you want to talk about.”

“What exactly is the Oklahoma Rehabilitation Council?”

“The council serves as an advisory body to the department. They meet quarterly, generally in Oklahoma City. Vocational Rehabilitation is not an entitlement program nor are they an affirmative action agency. They are an employment program. Policy is influenced by the availability of funds. In Oklahoma, the federal government kicks in about \$3.70 for every dollar appropriated by the State Legislature. Don't be discouraged to apply for services if you are a person with a disability and want to return to work. That's what the program is all about.”

James Sirmans is the disability program specialist at the Office of Handicapped Concerns for the Client Assistance Program (CAP). CAP is the federally-funded program administered by the Office of Handicapped Concerns to advocate for the client of Vocational Rehabilitation after that client has made efforts to resolve their concerns on their own. To contact James, call our toll-free number 800-522-8224 or 405-521-3756 in the Oklahoma City metro.

OHC web site:

www.ohc.state.ok.us



The day—Friday, November 8, 2002. It is late morning. I am alone. I walk into the new Ford Center on the south edge of downtown Oklahoma City. Today is open house for people with disabilities. Would you like to come in with me?

“Hi Marilyn.” That’s Marilyn Burr, the disability program specialist from our office specializing in the employment of people with disabilities. “Fancy meeting you here.”

“Will, come over here. I want you to meet Robin Miller who is the Guest Relations Manager of the Ford Center. She’ll be leading your tour of the facility.” Oh, by the way, the Ford Center is the new arena in Oklahoma City, and it will be hosting athletic and entertainment events year round. It should attract people from all over the state, and developers have considered that many of those people may have disabilities and have made provisions for this. Come take a look at this new facility.

“Will, this is Robin Miller. Robin, this is Will who would like to invite a few of his friends to tour the Ford with you.”

“Are these your friends?”

“Yes, Robin, I’d like you to meet Bill and Rick. They’ve come along to give me the perspective of maneuvering the Ford in a wheelchair. Are you coming with us, Marilyn?”

“Not right now, but I do want to get with you after the tour to share a few suggestions I have made to the developers which may even further enhance the use of this arena by persons with disabilities.”

“See ya after awhile.”

(Robin Miller, our tour guide)

“Now fellows, I would like to begin by telling you about parking for people with disabilities who may be coming to the Ford Center. We have about 500 parking places directly south of the arena and in lots under the elevated surface of I-40. These lots are accessible from S.W. 3rd Street. They have handicapped parking available for cars and lift-equipped vans. Parking is also available across Reno Avenue under the Cox Convention Center which is directly north of the Ford Center. Many of you are already familiar with the underground parking at the Cox Convention Center. Our facility directly faces Cox which is just across the street.”

(Will)

“Oh, and Robin, I got another tip on parking for people with disabilities. The lift-equipped Trolley runs all over downtown Oklahoma City and clear out to the restaurants and hotels located on Meridian Avenue six miles west of downtown. People may park in any of the locations where the Trolley runs and ride right up to the door. The Trolley will be running late on nights when big events are scheduled, so it looks like people with disabilities will be able to park their vehicles.”

“Guys, come on over to this elevator and we’ll go up to one of the levels. Now here you see wide walkways which help move people around this level of the arena with a minimum of crowding. Each level has a similar walkway outside the seating in that level. The walkway extends completely around the arena at each level.”

(my friend Bill)

“Looks like you have signage available in Braille for people with visual impairments.”

“We have most of the signs complete now but still have a little signage to complete where you will be able to read every sign which a sighted person en-

OLMSTEAD (continued)

could not care for me, I might have to go into a nursing home to receive the care I needed. You could be in that same boat as well. You do not necessarily have to be a senior citizen to receive services from a nursing home. Younger people with disabilities are in nursing homes today across our state. Younger people with disabilities are also in state-run institutions in Oklahoma. And many people have disabilities so severe that they prefer to be served there. There is a place for institutions in certain individual circumstances. But what about those people who are currently in institutions who would prefer to get their needs met in a community setting? What about those who want to be more independent and have the ability to function in the community? Olmstead says that Medicaid should offer a choice, and that is what I would like to talk to you about.

Medicaid services for people with disabilities have been offered in community settings since the 1980's in Oklahoma. We have several Waivers in Oklahoma for individuals with mental and physical disabilities which offer services in the community. But so far, that population being served is small in comparison with the total number of people who are disabled in our state. Expanding the option of community services to Medicaid-eligible persons with disability all over Oklahoma is sort of like the Ticket to Work program we mentioned earlier. It is a major new thrust in social services which offers some choices to people with disabilities. Ticket to Work offered the choice of returning to work and the supports necessary to do that. Olmstead offers the choice of where we receive services and should offer the supports necessary to do that in a community setting if the person so chooses. But we haven't developed those supports quite yet in Oklahoma or most other states either for that matter. That's the reason that

state Senator Bernest Cain has convened an Olmstead committee of directors of state agencies and major social service agencies and individuals with disabilities across Oklahoma to work on how to make the choice of community services available in Oklahoma. Sound easy? It may sound easy, but it is by no means an easy task. We have to change our thinking and change our attitudes at all levels of Oklahoma society to make community services available. We have to develop supports in the community like housing, transportation, and attendant care. We have to provide public funds to commu-

But what about those people who are currently in institutions who would prefer to get their needs met in a community setting?

nity providers to pay for services. We have to put in place a system of quality assurance to make sure that people are receiving good service in an appropriate manner. And finally, we have to begin to do this in a time of economic downturn in Oklahoma when other priorities sometimes take precedence. These are some of the challenges which face

state agencies, private social service agencies, and ultimately the State Legislature as we implement the Olmstead decision in Oklahoma.

So what can we do? I think there's a lot you and I can do. We can learn more about Olmstead like we are doing right now as we read this page. We can begin to think about where we would like to receive services if we were disabled. We can begin to consider members of our family and friends who are disabled and where they get their needs met now. We can start thinking about our attitudes about living and working next to people with disabilities. If people with disabilities who are Medicaid eligible chose to remain in your community, where could they go to get their needs met? How would they get to the grocery store? Where could they live? Would there be someone to come in occasionally to

(Continued on page 7)

OLMSTEAD (continued)

assist them in daily living? If we begin to think about these questions for ourselves, our families, our friends, and our community, we are doing a lot. But there is even more that we can do. We can talk to people at our churches, civic groups, and our city council. We can challenge our communities to be more accessible to people with disabilities. There are many decisions to be made on the local and the individual level if Olmstead is ever to be implemented. What are we willing to support? Change is on the table here, but change requires time and effort—human energy.

The Office of Handicapped Concerns and this newsletter want to keep you informed about issues which affect people with disabilities and Oklahoma as a whole. We believe that the Olmstead decision has the potential to affect us all. We pledge to provide you more information about Olmstead in future issues. We have only just begun to consider the implications of this issue in Oklahoma, but with 650,000 Oklahomans who have some level of physical or mental disability, it is an issue of enormous dimensions.

Quality Daycare for Children with Disabilities (continued)

employees, and the turnover rate of employees. Obviously you want better education, better salaries, and lower turnover.”

“Good luck in your application for that third star.”

“Thanks Will. Just one other thing. We do offer a special service here for children with disabilities. Children may receive occupational therapy, physical therapy, and speech therapy here on site. We have therapists available.”

“Is that included in your daily rate?”

“The cost of therapy is in addition to the cost of daycare, but there are programs which can pay for it. A sliding scale is available depending on financial need.”

On Friendship:

A real friend is someone who walks in when the rest of the world walks out.

I'll lean on you and you lean on me and we'll be OK.

Everyone hears what you say. Friends listen to what you say. Best friends listen to what you don't say.

“One final question Sue. What kind of waiting list do you have for services?”

“We don't have a waiting list. We are ready to serve children and their families right now.”

The Easter Seals Child Development Center is open from Monday to Friday from 6:30 a.m. to 6 p.m. They are conveniently located at 701 N.E. 13th Street on the OU Health Sciences Center campus in Oklahoma City. The telephone number is 405-239-2525. By the way, they are a DHS approved child care center. Stop by and visit anytime.

THE FORD CENTER (continued)

joys.”

(Bill)

“Is that a bar over there?”

(Robin Miller)

“Yes, we have alcoholic beverages available, and we also have available a 16,000 square foot kitchen for preparing a menu of foods for our patrons to enjoy. Would any of you gentlemen like to check out one of our handicapped-accessible bathrooms?”

(Rick)

“Will, come on in here with me, and I’ll give you some ideas about the accessibility of this bathroom from the perspective of a person in a wheelchair. Looks like this door is plenty wide at the entrance. Oh, and I like this ample space inside the bathroom which lets me maneuver easily.”

(I speak up while Rick is accessing the stall.)

“These sinks are open underneath, Rick, to let you roll right up. Faucets are easily grabable to a person with limited hand use. And look at this towel rack installed at a lower level to permit a person in a chair to access it.”

(Rick)

“I see what you mean. Yes, and the stall has an extra wide door with a raised seat on the toilet to permit easy transfer from my chair.”

(Robin Miller)

“What did you fellows think of the restroom?”

(Rick)

“I found it quite accessible.”

(Robin)

“We also have unisex bathrooms to permit persons with disabilities who have a caregiver who is of the opposite sex to enter the bathroom together. Sometimes if a person needs assistance and their caregiver is of the opposite sex, there is a problem. Looks like your friend, Bill, has found the lift from the walkway up five feet to the handicapped seating on this level.”

(Bill)

“Hey guys, look at this.”

You can either take this short lift to an open area for seating for persons in wheelchairs, or you can access directly from the walkway back to an open area for wheelchairs.

(Robin)

“You can either take this short lift to an open area for seating for persons in wheelchairs, or you can access directly from the walkway back to an open area for wheelchairs. Now, you can see out over the whole arena.”

(Will)

“What capacity crowd can the arena accommodate?”

(Robin)

“It depends on the kind of event. For ice hockey, we can seat about 15,000. For some stage set ups we can comfortably seat up to 21,000 people. Oh, and back to seating for persons in wheelchairs, we have designated areas all around the arena on each level. You do not have to purchase seating on a more expensive level just because you need seating for a wheelchair. Purchase your seat at whatever level you choose and let us know that you will need seating for your wheelchair. We will even make sure that a seat is available in the same area for someone who is not in a wheelchair which will be accompanying you if that person has purchased a seat on that level. And for persons who need a wheelchair to get from the entrance of the Ford to their regular seat, we will assist you to your seat in

(Continued on page 9)

THE FORD CENTER (continued)

our wheelchair and pick you up at your seat. This is a helpful service for elderly and disabled patrons who can transfer to a regular seat which is not in designated handicapped seating.”

“I’m impressed.”

“One other thing I think would interest you. The Ford Center offers interpreter services to our patrons who are deaf. Let us know three weeks in advance of the event you are attending that you will need an interpreter, and we will provide this service free of charge for you. Another thing, we have TDD telephone service downstairs in the box office area should you need to make a call while you are our guest.”

“Robin, is this box seating for groups who pay a special rate?”

“Come on in. Now, Will, this has nothing specifically to do with persons with disabilities, but we do offer special box seating for a group who want to view their event in private and from a special vantage point. Come on in guys.”

(Rick)

“This is a room complete with sofas, tables and chairs. You even have a mini-refrigerator and sink here.”

(Robin)

“And we have a menu you can order from. I told you earlier about our 16,000 sq. foot kitchen. We’ll prepare your food and serve it in your box seating. And check out the double-wide patio doors which lead out to separate seating for twelve in the arena proper.”

(Will)

“Are there places to eat for people who do not have

box seating?”

(Robin)

“We have a Sunset Grill with a buffet which is available to persons with club level seating. You saw one of our four bars earlier, and there are two other restaurants available inside our facility. When we were talking about the signs in Braille earlier, I forgot to mention that we do allow service animals in our facility. When you purchase your tickets, let the salesperson know that you will be bringing your service animal. Will, it looks like we

are back to the main lobby. Again, if people need to contact me, I am Robin Miller and I serve as the Guest Relations Manager here at the Ford Center. My number is 405-602-8515.”

(Will)

“Thanks Robin.” Before we began our tour of the Ford Center, we met Marilyn Burr who is also a

Disability Program Specialist at the Office of handicapped Concerns. Marilyn tells me that she has offered a suggestion on how the Ford Center could be even more accessible to persons with disabilities. She brought to the attention of the management that the underground parking across the street requires persons to get a ticket before the turnstile is lifted permitting entry. Sometimes persons who are in a chair and driving their own van either drop that ticket on the ground or find it difficult to maneuver their van into the right position to grasp the ticket. Marilyn suggested that they have an attendant on duty, and reportedly the management is considering this suggestion.

Thanks for coming with me to the Ford Center. If you want to attend an event here, it appears that the building is accessible, and the Ford Cen-

(Continued on page 10)

MARK YOUR CALENDAR

- Ongoing** Arthritis Self-Help Courses at local county health departments. Free of charge. Contact Marisa New with the Oklahoma Arthritis Network 405-271-9444 ext. 56410.
- December 4, 2002** Assistive Technology Equipment Exposition, 8 a.m. to 4 p.m. Fulton Teaching and Learning Academy in Tulsa, call 800-700-OATC for more information.
- Jan. 10, 2003** The Oklahoma Developmental Disabilities Council is Sponsoring "Sexuality and People With Developmental Disabilities" seminar from 1-4 p.m. at the National Guard Training Institute, rm. 102. Call 800-836-4470 or 405-521-4894 in the OKC metro.
- Jan. 15, 2003** Oklahoma State Conference on Mental Illness and the Criminal Justice System at the Univ. of Central Oklahoma in Edmond, Okla. For more information Contact Shannon Manning at the Okla. Dept. of Mental Health 405-843-9900.

If you have an event coming up relating to disability, let us know at 800-522-8224 and we'll help you publicize.

THE FORD CENTER (continued)

ter offers services to people with varying disabilities. It is nice to know that people are considering the needs of other people who have disabilities in designing new facilities and providing special services. I feel welcome at the Ford Center. How about you?

The Ford Center web site:

www.okfordcenter.com