



THE INDEPENDENT

*the hardest battle is to be nobody-but-yourself
in a world that is trying to make you like everybody else.*
e.e. cummings

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TRANSITION NEWS BEGINS ON PAGE 9

THIS ISSUE OF THE INDEPENDENT CONTAINS 2 SURVEYS. THE FIRST IS FROM CARTS SEEKING WAYS THEY CAN IMPROVE THEIR SERVICES.

THE SECOND SURVEY IS OUR ANNUAL CONSUMER NEEDS SURVEY. WHAT ISSUES ARE IMPORTANT TO YOU AS A PERSON WITH A DISABILITY? WHAT WOULD YOU LIKE US AS AN AGENCY TO FOCUS ON?

PLEASE TAKE THE TIME TO FILL THESE OUT AND MAKE YOUR OPINIONS KNOWN.

UPDATING RULES FOR DISABILITY WOULD SAVE MONEY BUT HURT ELIGIBLE RECIPIENTS

By Larry Eichel of the *Philadelphia Inquirer*

On the grand scale, the battle over the prospective overhaul of Social Security has ended for now. Disputes continue, though, in the arena of the fine print.

That is particularly true for the part of the system that provides \$79 billion a year in monthly payments to 8.3 million disabled workers and dependents.

In recent months, the Social Security Administration has proposed revisions to two sets of rules governing who qualifies for disability, revisions it says are designed to streamline and update cumbersome and outdated regulations.

Advocates for the disabled argue that the pending changes will have the effect of denying funds to thousands of people with severe mental and physical handicaps.

The changes do not require congressional approval.

One set of proposed new rules would save Social Security an estimated \$6 billion over the next decade by raising the age at which applicants for disability are subjected to less stringent eligibility criteria.

An age-based system has been in place since 1978, on the theory that it is harder for older people to find a job than for younger workers after a devastating accident or illness.

The other changes would revise the slow, cumbersome, multi-step process by which applications for disability status have been

resolved. Among disability advocates, these prospective changes have generated considerable opposition.

"While justice delayed can be justice denied, justice expedited can also result in justice denied," Marty Ford, co-chair of the Social Security Task Force of the Consortium of Citizens With Disabilities said in congressional testimony.

In announcing the proposed new rules last year, Social Security Administrator Jo Anne B. Barnhart said she was guided by questions President Bush had put to her, including why it took so long to get a final disability decision and why obviously disabled people could not get a near-immediate decision.

"My goal was to address the President's questions and ensure that we make the correct decision as early in the process as possible," Barnhart said. "The regulation we are proposing would do just that."

Under current rules, the process has five steps. The initial determination is made in a state office by officials who never actually see the applicant. Then comes reconsideration, a hearing before an administrative law judge, review by an Appeals Council, and finally, access to the federal courts.

What is striking about the process, beyond its complexity, is how many applicants ultimately get benefits after being initially turned down.

On average, 37 of every 100 applicants are approved in the first round, according to the Congressional Research Service. Of the 63 denied, 22 typically pursue an administrative appeal, and 16 win. Then

some of those losers go to federal court and win there.

In extreme cases, the whole process has been known to take more than three years.

To speed things up, Barnhart has proposed a quick determination process for the obviously disabled; the elimination of the Appeals Council, to be replaced by a board that would pick its own cases to review; and the imposition of hard deadlines for submission of evidence and rules against reopening cases.

The new deadlines have generated the most criticism, with advocates noting that it can be difficult for the disabled to obtain medical records and that the severity of an impairment often worsens as time goes on.

In a letter to Barnhart, Rep. Thomas H. Allen (D., Maine) wrote that adding "artificial time limits and other technical barriers" to the process "would be unfair and unjustified." Rep. Jim McCrery (R., La.), who chairs the House subcommittee on Social Security, has expressed similar views.

Mark Lassiter, a spokesman for the Social Security Administration, said the final version of the rules would be published in coming weeks. He said the new regulations initially would be imposed only on one region of the country, so officials could see how they worked.

Drawing less attention have been proposed changes in the existing set of age-related rules used to determine disability.

Here's an example of how they work - under current regulations.

If you are over 55, have done physical work for years, and suffer a severe impairment

that leaves you unable to do such work, you are presumed qualified for benefits, even though you might still be physically able to do desk work.

Under the proposed changes, this benefit of the doubt would henceforth be limited to people 57 and older; similar upward categories.

In advocating the age shifts, the Social Security Administration cited "our adjudicative experience, advances in medical treatment, changes in the workforce... and current and future increases in the full retirement age.

Opponents argue that nothing has changed about the toll taken by physically demanding labor and that those most affected would be African Americans, the less educated, and people with lower incomes.

Said Thomas D. Sutton, a Trevese-based lawyer active in the National Association of Social Security Claimants' Representatives: "Cuts in disability benefits should not fall disproportionately on the shoulders of middle-aged workers who once were able to build bridges and dig tunnels, but have been significantly limited by the infirmities of age and illness."

Under Social Security, disability benefits are intended for working people who have a medical or physical condition that is expected to last at least a year or to result in death. The average monthly benefit is about \$900, and about 2.4 million Americans applied last year.

Factors in determining eligibility include the severity of the condition and the degree to which it leaves the individual unable to work. Payments typically last until

retirement age, when recipients get retirement benefits instead.

Source: Philadelphia Inquirer

WHEELIN' SPORTSMEN

Wheelin' Sportsmen is the official publication of Wheelin' Sportsmen NWTF (the National Wild Turkey Federation), which is dedicated to providing people with disabilities the opportunity to enjoy the great outdoors. Similarly, *Wheelin' Sportsmen* magazine is dedicated to the education and entertainment of outdoor enthusiasts with disabilities and their able-bodied outdoor partners. For more information, go to www.nwtf.org.

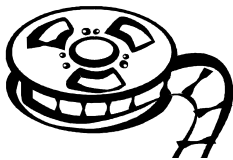
New York State Attorney General Agreement with Movie Chains on Individuals with Disabilities

The New York State Attorney General recently announced an agreement with eight national movie chains to make it easier for individuals with visual or hearing impairments to enjoy films at 140 theaters throughout New York State. Included will be "rear window captioning" which allows individuals with hearing impairments to use an acrylic panel to read captioning projected in reverse to the back of the theater. Some theaters also will provide on-screen captioning for films and headsets providing descriptive narration. Currently, it is reported that just two theaters in western New York, one in central New York, one in Albany, and five in metropolitan NYC offer such captioned or narrated films. Under the agreement, theaters also will provide

listening devices that are more compatible with hearing aids.

The film companies include AMC Entertainment, Carmike Cinemas, Clearview Cinemas, Dipson Theaters, Loews Entertainment Cineplex, National Amusements, Regal Entertainment Group, and Zurich Cinemas.

Information from NYS Commission on Quality of Care and Advocacy for Persons with Disabilities



ASSEMBLY WON'T GIVE UP ON TIMOTHY'S LAW; SENATE MOVES FORWARD WITH ITS OWN BILL

Timothy's Law, named for a young boy from Schenectady who took his own life at age 12 after his family's insurance coverage for mental health treatment ran out, passed in the Assembly last Wednesday by a vote of 134 to nine.

The bill (A.2912-a/S.6735-a) would require all insurance carriers in New York State that provide coverage for medical care to provide equal coverage for the treatment of mental and emotional disorders and addiction issues.

Legislators and mental health advocates held a press conference before the Assembly vote to express their support.

Some have raised concerns about the cost of expanding insurance coverage. But Assemblyman Pete Grannis, D-Manhattan,

chair of the Assembly insurance committee, said the bill would actually save money.

He said letting people with mental illnesses or addiction issues go untreated leads to even more costly and complicated problems down the road. He also pointed out that 35 other states would not have adopted mental health parity policies if they broke the bank.

Timothy's Law has been proposed by a sponsor in the Assembly or the Senate every year since 2003. It has passed in the Assembly each year but has never been brought to the Senate floor for a vote.

But Bruno spokesman Mark Hansen said the Senate has passed its own bill dealing with mental health parity in the past and there is currently one (S.6735) being sponsored by Sen. Thomas W. Libous, R, C-Binghamton, that would provide a 'very broad range of mental health services.' As of May 2 it was in the insurance committees of both the Assembly and House.

The difference between the Assembly and Senate bills, he said, is the Senate would exempt small businesses with 50 or fewer employees from having to establish mental health parity in their insurance policies. The concern, he said, is they would not be able to afford the coverage, and it would discourage them from providing health insurance at all.

*Kelly Smith, Legislative Gazette-
March 13, 2006*

To express your support for Timothy's Law contact: NYS Senator James Seward, LOB 917, Albany, NY 12247, phone 518-455-3131, e-mail go to <http://www.senatorjimseward.com> and click the contact link. He is chairman of the Senate Insurance Committee; or NYS Assemblyman B. Pete Grannis, LOB 712, Albany, NY 12248, 518-455-5676, to e-mail go to grannies@assembly.state.ny.us.

MS RESEARCH MAGAZINE

For thorough information on MS research, the *Multiple Sclerosis Quarterly Report* is among the best. Published by both the United Spinal Association and the Consortium of Multiple Sclerosis Centers, *MSQR* never dumbs down its articles on MS research, and if anything, is guilty of too much information. Although it is nice not to be written down to, some of the terms used are Greek- literally! And Latin. So keep Google.com fired up for some of the most dense articles.

The magazine is free to those with MS who are members of United Spinal and/or participate in the North American Research Committee of MS survey project. For information on a free membership, call United Spinal at 800-404-4898.

Information appeared in the April 2006 issue of *New Mobility*.

CARTS TRANSPORTATION

If you have a disability and want door to door transportation from CARTS, be sure to ask for an ADA application. Under the ADA, a transportation provider which runs a regular bus system can not charge a person with a disability more than 2 times the cost of a regular run.

For more information, call Helen at 661-3010.

NYS VICTIMS ASSISTANCE ACADEMY

The NYS Victim's Assistance Academy is looking for people with disabilities who want to develop their skills in working with victims abuse and domestic violence.

The NYS Victim Assistance Academy is an intensive week-long training to teach issues around assault, abuse, domestic violence and victim's rights. This year the Academy will be held at Buffalo State College on June 11-16. read the Victim's Assistance Story. Go to <http://www.ddpc.state.ny.us/> and click on E-bulletin link for the May archives.

The TRAIID-IN Equipment Exchange Program is a statewide service which connects individuals with disabilities, searching for an affordable means to acquire needed devices, with people who have devices they wish to sell or donate. TRAIID-IN participants advertise, at no cost, through a database containing both "wanted" and "available" listings, similar to those found in "want ad" digests. For more information, go to [http://www.oapwd.org/TRAIID Project/technology.htm](http://www.oapwd.org/TRAIID_Project/technology.htm) or call 1-800-522-4369, TTY DIRECT 518-473-4231

**THIS NEWSLETTER CAN
BE MADE AVAILABLE IN
ALTERNATIVE FORMATS.
FOR MORE INFORMATION,
CALL CHRIS AT 661-3013(V/TTY) OR
E-MAIL ME AT chris@ilc-jamestown-ny.org.**

A WARM THANK-YOU!

Greetings from Salamanca, NY. My name is Kathleen A. Nerogic and I am a SUNY Empire State student from the Jamestown, NY campus. I just had the pleasure of interning at Southwestern Independent Living Center. I successfully completed my internship in late April. I'd like to extend a warm thank you to the Board of Directors, all of the staff members and each of the clients that I had the pleasure to work with. All of you in your own special way helped to make this a very memorable learning experience. Thanks so much to each of you for helping me reach my own goal of becoming a college graduate ~ Class of 2006.

THIS NEWSLETTER CAN BE MADE AVAILABLE IN ALTERATE FORMATS-LARGE PRINT, BRAILLE, TAPE AND E-MAIL. FOR MORE INFORMATION, CALL CHRIS AT 661-3013(V/TTY) OR E-MAIL ME AT chris@ilc-jamestown-ny.org.

JOB SEEKING TIPS FOR BLIND AND VISUALLY IMPAIRED JOB SEEKERS

Finding Job Openings

Job seeking is seldom an easy task; but it is so much more difficult if you are blind or have a significant visual impairment. Locating job openings can certainly be a challenge – especially when so many “clues” are in printed form of one kind or another. Have you ever wondered how many “Help Wanted” signs you walk by every day?

One of the first things that you want to do is to develop strategies to help you be appraised of the openings that are out there. You may need someone to scan the classified ads for you. If you are interested in openings at a particular company, you may need to contact them to arrange for you to get copies of job postings in alternate formats. Some companies post all their jobs on internal bulletin boards. You may need an ally to read those postings for you.

Be sure to find ways to peruse online job postings. In addition to the job posting sites like Monster.com and others, many companies post their openings on their own sites. Unfortunately, the majority of online job sites are not designed to be user-friendly to people with disabilities. If online sites present barriers to you, get a “surfing buddy” to spend a few hours a week with you. Of course, if you are working with an organization that has Job Developers, they can do a lot of that for you.

One great resource that is available in most States is [America's Jobline](#)[®]. It is a free public service provided by state agencies with assistance from the National Federation of the Blind and the United States Department of Labor. Essentially, it can provide you with personalized services, via telephone, to search America's Job Bank or a comparable statewide job order database.

So, do your best to develop strategies to locate those publicized job openings; but don't at all be discouraged because you can't cover all the bases. Here is a little fact to keep in mind: More than 50% of people employed attribute the success of their job search to “Networking”.

NETWORKING

You are bound to miss out on a lot of the posted job openings out there. But remember that a lot of those jobs are filled before they are posted. Remember too that

posted jobs are like the part of an iceberg that is above water – most job openings are like the 88% of an iceberg below the water – they never even get posted.

Networking is probably your single most powerful job-search tool. Make everybody you know part of your job-search “Team”. Friends, family and acquaintances – recruit them all! Hey, they are going to see those “Help Wanted” signs for you!

One of my favorite examples of Networking was devised by a young woman who is blind. She set up an electronic Networking “team” that I was part of. She carefully explained her career objectives to all of us and gave us each copies of her resume (in hard copy and electronic format). Once a week, she sent us all an email that outlined her efforts in the preceding week – the advice she had been given, the calls she had made, the interviews she had gone to, etc. and always asked us for feedback. It took a couple of months, but she got the job she was looking for and, when she later left that company, she used the same technique to find her next job.

When to Disclose

I’d recommend holding off on that until the interview or just before it. Let’s face it, many employers are going to be a little awkward about your disability – so let them fall in love with you before you give them your “little secret”!

Seriously, present employers first with your skills, your qualifications, and your enthusiasm. When they are sold on your talents, they will happily work with you to resolve accommodation issues.

Always project your confidence in your abilities and your sincere interest in the job you are applying for. Schedule the interview and then consider calling a day or two in

advance with something like: “Hi, I’m scheduled for an appointment on Thursday and I forgot to mention that I’ll be bringing my guide dog with me – just in case anyone in the office has an allergy to dog hair.”; or “Hi, I have an interview scheduled later this week. In case there are any documents that you would like me to review at that time, it would be helpful to me if they were available in large print – say a #24 font size.”

Confidence, confidence, confidence... I can’t emphasize it enough. You need to project self-confidence on your abilities in every exchange with your prospective employer. (And don’t get it confused with “cockiness”!) This goes for issues of accommodations too. Don’t frame your accommodation requests as “things that you need to do your job”; but as “tools that enable you to be productive on the job”.

Be as prepared as you can to thoroughly (and confidently) explain your accommodation requirements, how they will work for you, how proficient you are with them, how readily available they are, how much they cost (including any grants or funding sources that might offset them), etc. Be totally knowledgeable about your accommodation needs and totally confident in your ability to perform well with them.

To do this, you will need to research the job as thoroughly as possible. You may want to consult with local accommodations specialists. You may also find the services of the national [Job Accommodation Network](#) to be invaluable.

Transportation Issues

Let’s face it, with many jobs requiring timeliness and/or travel, and with most people relying on their own cars to meet those requirements, an employer is likely to be concerned about your ability to get to work on time, attend off-site meetings, etc.

Given that the employer might be hesitant to bring up the issue, work something into your conversation that explains how you get from place to place. Something like: "I arrived here a little earlier than planned today. My brother works nearby and told me that this commute usually takes about an hour. Even with one transfer, the bus got me here in 30 minutes!"

Something similar might work if the job entails air travel. Dropping a few comments about your recent vacation in South America couldn't hurt!

Useful Links

- [Jobline](#)[®] is a free public service provided by state agencies with assistance from the National Federation of the Blind and the United States Department of Labor. All that is required is a touch-tone telephone to establish your personalized job-search profile.
- The national [Job Accommodation Network](#) has some great information on accommodation alternatives for people with varying degrees of visual impairment.
- [eSight Careers Network](#) has online career management resources for people who are visually impaired.

by Rob McInnes of Diversity World

Brain Tumor Conference

The University of Pennsylvania at Philadelphia is holding a conference- Brain Tumors: Confronting the Challenge Together Saturday, June 17, 2006. For more information, call 800-770-8287 or go to www.tbts.org. As the newsletter is being written, I had to click on calendar and go to June for the information.

CHAUTAUQUA WORKS

Chautauqua Works is your local One Stop Career Center with locations in Dunkirk and in Jamestown. Among the many services available to job seekers there, individuals can learn about available jobs, training opportunities and access job readiness and career planning services.

The **Youth Navigator** at Chautauqua Works helps young people (under the age of 21) with barriers to "navigate" through the often overwhelming process of establishing a career path or plan. She can assist in becoming ready for work and finding a job or entering an appropriate education or training program that will provide skills and experience.

At the One Stop, you can access information, resources and services to help you obtain and retain employment, get your GED or go to college, and obtain the experience you need to get the job you want. Information is available regarding labor laws, job openings, supportive programs and services, job readiness, training and further education.

If you have a disability or other barriers and are interested in more information or want to set up an appointment for a complete assessment, please contact the **Youth Navigator** at either our Jamestown or Dunkirk locations.

Contact: Lori Palisin, 200 Lakeshore Drive West, Dunkirk, NY 14048, (716) 366-9015

Kris Overfield, 23 East Third Street Jamestown, NY 14701, (716) 661-9553



TRANSITION

CENTER FOR ASSISTIVE TECHNOLOGY

Services for School-aged Children

The Center for Assistive Technology at University at Buffalo provides assistive technology assessment and training services for school age children on a fee-for-service basis.

Approach

- Referral is made by the Committee for Special Education Chairperson of the student's school district.
- The CAT assessment team works closely with the school team and family members to identify the daily activities and educational tasks in which technology may increase functional ability.
- Recommendations for specific assistive technology hardware and software are made. If equipment is purchased, the CAT team provides equipment setup and overview as part of the assessment process.
- Training for individual students and school team members is also provided on a fee-for-service basis.

NEWS



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- To request a referral package for an assistive technology assessment for a school aged student in the Western New York area, please call (716) 829-3141.

Assistive technology services and devices can be approved on the IEP as special education, as a supplementary aid, or as a related service, if they are needed to allow the child to achieve reasonable educational progress in the least restrictive setting.

Assistive technology should be considered and approved to allow the student to remain in the regular classroom setting, before any more restrictive instructional setting is necessary. If technology has been approved by the CSE, the school district is required to purchase the service and/or device.

Any equipment purchased by the district remains the property of the district. If the student moves to another school district, the equipment stays with the district which made the purchase.

To ensure both proper selection and full functional use of a device, training of the student, family and key school personnel is critical. Such training is included in the definition of assistive technology service and should be funded by the school district.

Repairs and Maintenance

The school district should pay for repairs and maintenance if it purchased the device. Examine all warranties and maintenance contracts that may accompany specific devices for provisions that may cover these services.

The circumstances involving the need for training, repair and maintenance should be discussed with the district and administrative arrangements clarified prior to implementation of the agreed upon IEP for the child.

This information is provided by the TR Aid Project, funded under Public Law 100-407 by a grant from the National Institute on Disability and Rehabilitation Research, U.S. Department of Education. Information was downloaded from the University at Buffalo's Center for Assistive Technology website at <http://cat.buffalo.edu/service/index.php>. If you live in Western New York State and have general questions about assistive technology devices, services, programs, and funding, contact Tina Oddo at 716-829-3141 x110 or Sumana Silverheels at 716-829-3141 x108.

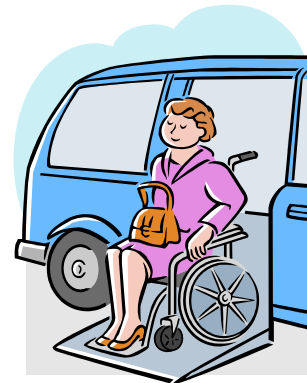
CHAIR TOPPER FOR CAR.

GOOD CONDITION.
PREVIOUS OWNER
WISHES TO DONATE IT
TO SOMEONE YOU
WHO CAN USE IT.
FOR INFORMATION
PLEASE CALL HELEN
AT 661-3010

TRANSPORTATION FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

Through a grant from the Western New York Developmental Disabilities Services Office, Southwestern Independent Living Center provides FREE evening and weekend wheelchair accessible transportation to Chautauqua County residents with developmental disabilities who are living with family members. This service is not exclusively for people living with parents. Riders can live with their parents, spouse or their own children. Riders can use this transportation service throughout the county for recreational purposes. Riders must provide documented proof of disability.

For more information, call Helen at 661-3010.



**ON JUNE 6, 1752 Ben
Franklin's kite is struck
by lightning-what a shock!**

