

The Resource

November 14, 2006

FOR PERSPECTIVE
AND ANALYSIS

The Source of information for providers of community-based services for people with differing abilities.
A member service of NYSRA.

CHANGING OF THE GUARD

By Jeff Wise, NYSRA President & CEO



With the passage of Election Day, one of the important questions we've been wondering all year has been answered. New York's next governor is Eliot Spitzer.

Beyond that, though, we are faced with the next question: What happens now?

Now that the results are official, NYSRA will further focus its efforts regarding implementation of its 2007 Legislative and Policy Agenda. But those efforts have been under way for some time. During the late spring and through the summer, we have been in touch with campaign and policy people and we are poised to carry on further talks with them now that the people have spoken.

Governor-elect Spitzer will take office on January 1. Just one month into his new job he is required to release a proposed state budget. Between now and then, he will undoubtedly be working hard to put everything in place for his new administration. We will be working hard to keep track of all that, and continuing to have conversations with new policy people as they come on board.

The new governor will be dealing with a Legislature that has not changed a great deal from the Legislature of the past couple of years. The Assembly will retain its heavy Democrat majority - there are more than twice as many Democrats as Republicans in the lower house - while the State Senate will retain its much slimmer Republican majority, which will slip to 34-28 if vote totals showing a defeat of incumbent Senator Nicholas Spano of Westchester hold up.



Thus, the fundamental dynamics of the politics of Albany won't change. But lots of names and faces will be new,

and we will await the naming of agency commissioners, key staff and budget priorities with a great sense of anticipation.

In Washington, of course, things are going to look even more different. Suddenly the White House is faced with Democrats taking over both houses of Congress. Committee chairs will change and that can be an important key to more change. Charles Rangel, for example, of Harlem, will likely become the chair of the House Ways & Means Committee, a most powerful position for a member of the New York delegation. We at NYSRA remain in touch with our national colleagues and will keep a close watch on events there as well.



Despite all the changes, there are some things that we will continue to see. Fundamental discussions about the missions of Medicaid and Medicare, for example, will continue. And here in Albany there is little doubt that the new administration will keep Medicaid spending - more than \$40 billion in the current state budget of \$112 billion - on its list of programs that will get very close attention.

NYSRA will continue all its efforts to facilitate appropriate handling of Medicaid issues, ensuring that our members, the services they provide, and the individuals who receive those services all are very much a part of the discussions.

Thanks to the efforts of our Board, our Legislative Committee, and our Division Chairs, NYSRA is well prepared to make our case. Look soon for the posting on our web site of the 2007 Legislative and Policy Agenda at www.nyrehab.org and stay tuned for more information-sharing and advocacy activities to come.

And don't forget to join us in Albany on February 12 and 13 for our annual Legislative Forum. As we work to familiarize the new administration with everything we do, it will be more important than ever to have another strong showing of members in town.

There's a lot to do. But we're ready.

NYSRA IS ASKED TO "SERVE"

As a result of the Veterans' Administration presentation at the NYSRA Annual Leadership Summit, NYSRA has been asked to join the NYS Veterans Services Coalition representing its membership working on behalf of veterans and their families. The mission of the NYS Veterans Services Coalition is to coordinate the activities of all state agencies whose goal is to meet the needs of veterans and their families in New York State and thus to ensure a continuum that will provide the highest quality service and value for veterans and their families. The next meeting is scheduled for November 30, 2006. NYSRA believes that it may be the only trade organization representing the private rehabilitation sector to be seated on the Council at this time.

Currently, there are Four Focus Areas for the Council:

- Clinical - concentrates on veteran healthcare issues - quality, access, and delivery.
- Benefits and Services - concentrates on veteran eligibility, compensation and pension, education, survivor and cemetery benefits.
- Housing - concentrates on homeless veterans and finding good housing for all veterans who need it.
- Employment - concentrates on providing veterans the tools to train for and obtain good civilian jobs.

Subcommittees are formed to address specific goals and objectives with short-term turnaround. The subcommittees may have as many members and leaders as needed. Meetings can be "in person" or virtual - whatever fits the group's needs in working to improve veteran services.

NYSRA looks forward to sharing information and service opportunities with its members as it becomes available. At present all three Divisions, DD, MH and Vocational as well as the Deaf Hard of Hearing Focus group have veterans' services as one of their target advocacy areas for 2007. If your agency is interested in learning more, please participate in Division activities. Contact Stacie Muscolino at Stacie@nyrehab.org to confirm who from your organization is listed with our Divisions at this time.

DDPC CONSUMER CAUCUS HONORS NEW YORKS

The New York State Developmental Disabilities Planning Council (DDPC) Consumer Caucus held its 21st Annual Achievement Awards Dinner Ceremony in September. The Achievement Awards Recognizes individuals and organizations that have shown extraordinary efforts in personal growth, community growth, not just personally but for all New Yorkers with developmental disabilities and their families. Honoring the 2006 Achievement Award recipients, President Bush and First Lady Laura Bush in a letter congratulated honorees stating that "Our Nation believes in the promise of all our citizens, and we must ensure that the opportunities of America are more accessible to every person. By providing educational programs and job training sessions for individuals with developmental disabilities and their families in New York, you contribute to a society where all are encouraged to lead active lives and achieve their dreams." DDPC Consumer Caucus Chair Aldea LaParr said that he is "amazed at what our Achievement Award recipients have accomplished but more importantly, what they have as goals to be accomplished." "It is people and organizations like our award recipients that make such an important difference in our lives and the lives of persons with developmental disabilities and their families. It is a wonderful feeling to see recipients from across our great state honored.." added Sheila M. Carey, DDPC Executive Director.

Among the award recipients was NYSRA member agency - Nassau County UCP's very own Lois Neuwirth who received the Administrative Employee of the Year Award for consistently encouraging individuals in her programs to become increasingly independent and engaged in the community. Ms. Neuwirth, Director of Adult Day Program at Nassau County UCP, most recent achievement is the creation and implementation of the Life Options, a NYSOPTS day program, that has dramatically changed the lives of 103 individuals.

NYSRA joins DDPC in saluting Ms. Neuwirth's accomplishments. Awards were also presented in the category of Exceptional Personal Growth, Substantial Influence on the Lives of Others, Volunteer of the Year, Employee of the Year, Direct Support Employee of the Year, Promoting Self-Determination in NYS, and Promoting Family-to-Family Support in NYS.

**DO YOU HAVE INFORMATION YOU'D LIKE
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EEOC LAUNCHES WEBSITE SECTION ON “LEAD” INITIATIVE

Giving greater presence to a pressing – and largely unknown – problem, the U.S. Equal Employment Opportunity Commission (EEOC) launched a website section on its LEAD Initiative, designed to address the declining number of employees with severe disabilities in the Federal workforce.

The section, on EEOC’s website at www.eeoc.gov/initiatives/lead/index.html, offers basic information on the initiative and on the declining number of disabled federal employees. As the effort progresses, announcements and updates will appear regularly.

The Commission launched the LEAD (Leadership for the Employment of Americans with Disabilities) Initiative in June under the leadership of Commissioner Christine Griffin, a legal expert and long-time advocate for disability issues.

“I commend Commissioner Griffin for her efforts to ensure that individuals with disabilities are fully included in the federal workforce,” said EEOC Chair Naomi C. Earp. “EEOC’s LEAD Initiative will complement the Commission’s outreach and enforcement efforts on behalf of individuals with disabilities.”

Commissioner Griffin noted, “In order to improve the overall employment rate for people with targeted disabilities, we have to begin with the federal government. Congress directed the federal government to set the example for all other employers. Our example needs improvement. I fully expect the LEAD initiative to significantly contribute to this improvement. The LEAD website section will allow us to provide important and useful information to a broad audience, so I look forward to it having a positive impact.”

LEAD aims, ultimately, to significantly increase the population of individuals with disabilities employed by the federal government. This national outreach and education campaign is designed to:

- increase the awareness of hiring officials about the declining numbers of people with disabilities in federal employment
- reverse the trend of decreasing participation in federal employment
- educate federal hiring officials about how to use special hiring authorities to bring people with disabilities on board, particularly those with severe disabilities
- educate applicants with severe disabilities about how to apply using the special hiring authorities available

- provide information and resources on reasonable accommodation.

The LEAD Initiative draws on educational events and seminars and focus group sessions with federal managers, hiring officials and other interested parties to explore the issue of declining employment for individuals with severe disabilities, and to come up with concrete solutions to address the problem.

People with targeted disabilities have dropped to less than one percent of the permanent federal workforce, continuing a long-term decline, according to data released in June by the EEOC. Targeted disabilities include blindness, deafness, partial paralysis, complete paralysis, mental illness, mental retardation, convulsive disorders, and distortion of limbs or spine.

The Rehabilitation Act of 1973 requires that federal agencies take proactive steps to provide equal employment opportunities for individuals with disabilities. Moreover, under Executive Order 13164, agencies are required to establish effective written procedures for processing reasonable accommodation requests, which are submitted to the EEOC for review.

Additionally, under the EEOC’s Management Directive 715, agencies annually report their efforts to implement a Model EEO Program; to identify and eliminate barriers to equal opportunity in the workplace; and to implement special program plans for the recruitment, hiring and advancement of individuals with targeted disabilities.

The EEOC is also striving to advance employment opportunities for individuals with disabilities through the President’s New Freedom Initiative and the agency’s Freedom to Compete Initiative — a national outreach, education and coalition-building campaign launched in 2002 to provide unfettered access to employment opportunities for all individuals. The agency just launched the application process for its third annual [Freedom to Compete Awards](#), with nominations due Dec. 13 for awards to be presented in June 2007.

The EEOC is responsible for enforcing the federal laws prohibiting employment discrimination. Additional information about the agency is available on its web site at www.eeoc.gov.

MEDICARE PART D WRAP-AROUND BENEFIT CHANGES STARTING JANUARY 1

Pursuant to recent legislation, effective January 1, 2007, the Medicaid Program will limit the wraparound benefit for full benefit dual eligible recipients to the following four categories:

- Atypical anti-psychotics
- Antidepressants

- Anti-retrovirals used in the treatment of HIV/AIDS
- Anti-rejection drugs used in the treatment of tissue and organ transplants.

Note: New York Medicaid will continue to cover certain drugs which are excluded from the Part D benefit, such as barbiturates, benzodiazepines, some prescription vitamins, and some nonprescription drugs. These drugs may be billed directly to Medicaid.

Physicians & Other Prescribers: What You Need To Know

Physicians and other prescribers should anticipate a large volume of questions and phone calls from pharmacists and recipients regarding their drug needs; many of which have been met by Medicaid but will require coverage by Part D on January 1, 2007. Recipients will need your help to obtain medically necessary medications from their Medicare Part D plan. Typical Medicare Part D drug coverage and formulary management issues which will require your assistance to resolve:

- Prior Authorization For The Covered Drug – contact the Part D plan.
- Quantity Limits – contact plan to obtain prior authorization/request exception to exceed plan limits.
- Step Therapy – contact plan to choose alternative/request exception.
- Non-Formulary Drug – switch/request exception to a covered drug

Drug Is Covered Under Medicare Part B – put diagnosis, UPIN (Unique Physician Identification Number), location of administration (if nursing home, MD office) on Rx.

We strongly encourage prescribers and pharmacists to work with Part D plans prior to January 1, 2007 to obtain all necessary exceptions or prior authorizations in order to avoid interruptions in patients' drug therapy.

Pharmacists: What You Need To Know

Dual-eligible recipients should obtain medically necessary drug coverage from their Medicare Part D plans. However, many drugs are either not included in the Part D plan formulary or are subject to various formulary management restrictions.

Pharmacists can provide assistance to resolve drug coverage issues, including the following:

- Contact Part D plans to determine why drug claims are being denied and what can be done to meet the plans' coverage requirements.
- Work with prescribers to satisfy prior authorization, step therapy, quantity limit requirements.

- Identify alternative covered drugs.
- Pursue formulary exception requests.

Reminder: When billing Medicaid, all Medicaid rules apply to wrap-around benefit claims, including any Medicaid prior authorization requirements and co-payments. If the drug requires prior authorization under Medicaid, the prescriber and dispensing pharmacist must complete the Medicaid prior authorization process by calling (877) 309-9493.

DUAL ELIGIBLES AND MEDICARE PART D IN NYS - NEW FREE GUIDE AVAILABLE!

People who work with consumers who are dually eligible for Medicare and Medicaid should read this. It covers:

- * Coverage
- * Joining a plan
- * Choosing a plan
- * Costs, utilization management and convenience
- * How Medicare Part D is different than Medicaid
- * Prescription denials
- * Medicaid "Wrap Arouds"
- * Appeals

Free download at www.ltccc.org. Hard copies available for \$1.00 each to cover postage and handling by contacting Sara@ltccc.org.

IMPROVING SSA'S HEARING PROCESS

Over the past two years, the Social Security Advisory Board has been examining the SSA hearing process, focusing attention on issues of consistency, productivity, long processing times and large backlogs, hearing office management, and the relationship between the agency and its corps of administrative law judges. On the basis of this study, the Board has developed recommendations addressing those issues so as to make the process more fair, consistent, and efficient.

This and other Board reports can be requested or downloaded from the Board's website www.ssab.gov.

SCHOOL CHALLENGES AUTISTIC KIDS

Courtesy of the Poughkeepsie Journal

The cheerleading team at the Anderson School in Staatsburg practices hard like any other team. After classes, the 22 boys and girls on the team work with their coaches to try and perfect their chants and cheers.

But the Anderson School cheerleader team is no ordinary team. Every member has autism, a severe developmental disability.

The Anderson Center for Autism is a school and home to 138 autistic students between the ages of 5 and 21. Students come from all over New York to attend.

"We provide evidence-based education 24 hours a day, seven days a week to some of the most involved citizens in New York state. We use state of the art programs to help people grow," Neil Pollack, chief executive officer of the center, said.

Evidence-based education means that all techniques used by the center have been tested and proven effective by the scientific community, Pollack explained.

Fighting the condition

These methods help Anderson students achieve success in fighting autism. This is why the Anderson Center is being honored by the Dutchess County Economic Development Corp. with a Business Excellence Award in the not-for-profit achievement category.

Autism is a disease that inhibits a person from focusing and learning. Pollack compares it to trying to concentrate while having music blasting in your ears.

"The neurological condition creates confusion and stops them from being able to learn and behave and do things that we take for granted," Pollack said of his students.

At Anderson, staff members use a variety of techniques to help students overcome their disability. One such method is presenting students with their daily schedule through pictures, so that they can associate activities with illustrations.

"Our job is to help cut through the confusion and get students to a place where they can learn and take care of themselves," Pollack explained.

Students at the Anderson Center are assigned to classes by age and ability. The primary objective of classroom work is teaching "the activities of daily living," Pollack said. Students also learn basic skills such as reading, writing and speech, as well as art, music, and physical education.

Each class has one teacher, and three to four assistants in the room at all times.

All teachers are certified in special education, and go through an extensive in-house training to prepare for teaching autistic

children. "We believe we have developed training programs for our staff that far exceed even the most sophisticated agencies," Pollack said.



Center is refuge

Every student graduates from the Anderson Center, the CEO said. After graduation, about a third move into group homes for autistic people that are sponsored by the Anderson Center, while the rest return to their home communities.

The Anderson School was founded in 1924 as a safe haven for students that were emotionally disturbed, according to Pollack. In 2001, it switched to serving only autistic children.

Pollack, who took over operations that same year, has worked hard to improve the center, overseeing more than \$20 million in construction. New projects include state of the art classrooms and a new gymnasium. Soon, Anderson will offer house-style living for all students instead of the dormitory-like setting they are in now. A new swimming pool and a village square is being built at the center of campus, Pollack said.

Robert Weybright, agriculture/horticulture program leader at the Cornell Cooperative Extension in Millbrook, was on the panel that honored the Anderson Center with the award. He said the school's quiet determination was the reason he chose the Anderson Center over a number of qualified candidates.

"They are the unsung heroes. They serve a population that needs help, are solid, creative, and innovative, and quietly go about their work," Weybright said.

Taking part in community

Pollack has focused on making the Anderson Center a part of the greater Dutchess County community. Volunteers come on campus to aid teachers or participate in activities. And Anderson students venture off campus to experience all that the region has to offer.

"Our community interaction is bi-directional. We have opened our doors to make sure we are extremely good neighbors. And we go off campus, as well," Pollack said.

Pollack said he is pleased with the progress the center has made so far, and looks forward to doing more to help those with autism. "In the future, we will widely open our doors to serve people in need on the autism spectrum," he said.

NYS OCFS Bid SOLICITATION ANNOUNCEMENT

Bid Profile Name: CBVH Summer College Orientation for Legally Blind Teens

Application Due Date: 2/20/2007

Estimated Funds Available: NA

Objective: The objective of this RFP is to provide a residential college orientation program for legally blind teens in the greater metropolitan New York City region.

Eligible Applicants: Higher Ed (State Controlled), Native American Tribal Org, Non Profit 501(c)(3) (Not Higher Ed.), Higher Ed (Private), Non profit(not 501(c)(3))

Announcement Notes:

The Commission for the Blind and Visually Handicapped has released an RFP for the provision of a summer college orientation program for legally blind teens in the greater New York metropolitan region.

More Information, go to:

<https://ocfsws.ocfs.state.ny.us/obl/index.asp?menu=28&grantid=233> .If you do not have Internet access you may instead contact Kenneth Galarneau at (518) 474-7812 or ken.galarneau@ocfs.state.ny.us.

BUILDING SKILLS IN NYS (BUSINYS) GRANT PROGRAM

Building Skills in New York State (BUSINYS) Grant Program, Request for Applications: Private sector for-profit and not-for-profit businesses that have four or more employees and at least one physical location in New York State

(RFA) # 25-M Applications will be accepted on an ongoing basis for the BUSINYS RFA # 25-M grant program. BUSINYS # 25-M provides funds to train incumbent (employed) workers in specific skills needed by the applicant business or the industry in which it operates and that lead to potential career growth and increased wages for the trainees. Funds may be used to pay for outside vendors or in-house trainers to provide on-site training, off-site training or distance learning. The position targeted for training must exist and be filled at the time that the application is submitted. The applicant must demonstrate that the training will result in the workers' acquisition of transferable skills.

Awards for individual applications may not exceed \$50,000.00, subject to funding availability. A BUSINYS program lifetime cap has been established that limits a businesses receipt of funding under the program (including

RFAs 32-I, 37-L, and 25-M, and RFP 25-L) to \$50,000.00. Approximately \$10 million in statewide funds received under the Workforce Investment Act will be made available for this grant program. Contracts will be awarded for a period of up to one year.

Limited no-cost contract extensions may be approved at the discretion of the Department. Awardees will be required to provide reports documenting the outcomes of the project. Contract payment will be on a reimbursable basis.

Contractors must promptly submit vouchers for reimbursement of costs that have been incurred and paid in accordance with the approved budget. Any award must be expended on program activities in New York State and the employees to be trained must work in New York State upon completion of the training. For further information or to access the electronic application, Log on to our web site at www.workforcenewyork.com or contact Andrew Gehr, Office of Program Development at the above address or call (518) 457-0361. ks.com/grants.

EMPLOYMENT OPPORTUNITY

Associate Director - Day Services

Experienced, dynamic, results oriented professional needed for executive management position to provide leadership to agency programs and support services. The incumbent will be responsible for providing administrative oversight to multi site Day Habilitation Program, clinical services, service coordination, agency Work Center and a county wide Supported Employment Program.

This position plays a central role in Agency development projects and future planning. The incumbent reports to the Executive Director and shall be a seasoned professional with an established track record of achievements. Must possess a masters degree in Human Services or a related field with substantial administrative/management experience. Excellent organizational and interpersonal skills with 7-10 years experience in the MRDD field essential. Bachelor's degree with significant management/administrative accomplishments in the MRDD field may be considered in lieu of a masters degree. Competitive salary and exceptional benefits package. Please apply to Mountain Lake Services, Human Resource, 10 St. Patrick's Place, Port Henry, NY 12974 www.mountainlakeservices.org EOE.

Director of Day Services

Seeking a dynamic and results oriented professional for senior management position to provide leadership to agency day programs and services. The incumbent will be responsible for providing administrative oversight to multi site Day Habilitation Programs, clinical services, service coordination, Work Center and a county wide Supported Employment Services. Responsibilities include supervising multi-level staff; directing operations; providing fiscal oversight and ensuring quality services. The incumbent reports to the Executive

Director and shall be a seasoned professional with an established track record of achievements. Must possess a masters degree in Human Services or a related field with substantial administrative/management experience. Excellent organizational and interpersonal skills with 7-10 years experience in the MRDD field essential. Bachelor's degree with significant management/administrative accomplishments in the MRDD field may be considered in lieu of a masters degree. Competitive salary and exceptional benefits package. Apply to Human Resource Office, Mountain Lake Services, 10 St. Patrick's Place, Port Henry, NY 12974 (518) 546-7721 www.mountainlakeservices.org EOE.

VP of Business Services

Gateway Community Industries, Inc., a leading provider of services to individuals with mental, developmental and physical disabilities located in the Mid-Hudson Valley of New York State is seeks a member of the Administrative Team. This position reports directly to the CEO and is responsible for providing leadership in the development, implementation and evaluation of the operational plans for Industrial Operations, Custom Cleaning, Food Services and Marketing Departments. This position will function within Gateway's core values of Respect, Hope, Team Work and Excellence.

The ideal Candidate will possess the following qualifications:

- * Bachelor's Degree in Business or related field with 10 years of progressive experience in a business environment, 5 years of which are at the management level - Master's Degree preferred.

- * Experience in the Rehabilitation Services environment with an ability to balance agency revenue goals and providing vocational opportunities.

- * Experience in Government Procurement Contract Management is a strong plus.

- * Excellent organization and communication skills with an ability to work in diverse teams a must.

Excellent benefits including 11 paid holidays, 3 personal days, 12 sick days, 2 weeks vacation in your first year and 3 weeks after your first anniversary, health, dental, vision, retirement, tuition reimbursement and much more!

If you are a qualified candidate, please submit your resume and salary history to :

Fax: 845-331-2112
 Email: humanresources@gatewayindustreis.org
 Mail: Gateway Community Industries
 PO Box 5002, Kingston, NY 12402
 Attention: Human Resources

Gateway Community Industries is an Equal Opportunity Employer. www.gatewayindustries.org.

NYSRA CALENDAR

November 2006

November 15: 10:30 a.m. - 2:30 p.m.
 Employment Options (Voc. Division), Albany

November 29: 3:00 p.m. - 4:30 p.m.
 NYSRA OPTS Conference Call

December 2006

December 13
 Vocational Division, NYC - Location TBD

December 14: 10:30 a.m. - 2:30 p.m.
 NYSRA Board Meeting - Brooklyn One Stop

February 2007

February 12 & 13
 NYSRA's Legislative Forum, Albany

June 2007

June 5 & 6
 NYSRA's Executive Team Management Institute

September 2007

September 24 - 26
 NYSRA's Leadership Training Summit, The Desmond, Albany

