

Message from the Chair:

The Fair Shake Network (FSN) is an association of West Virginians dedicated to a “fair shake” for people with disabilities. Our mission is to educate policymakers and the public about disability issues and to empower people with disabilities to speak for themselves. The vision of FSN is “People with disabilities have an opportunity to equally participate in their communities and realize their dreams.”

FSN will monitor all legislation introduced that may affect the disability community. FSN urges the Legislature and the Executive Branch to invest in people with disabilities and their invaluable resources, and contributions to West Virginia. *Please support the 2017 Disability Agenda.*

--*Jeannie Elkins, FSN Chair*

Community Based Supports:

FSN supports legislation that invests adequate funding for services that support people with disabilities to live in their own homes and communities; eliminates the institutional bias in West Virginia and ensures rebalancing of Medicaid and other public funding.

FSN supports the full implementation of the *WV Olmstead Plan*. This is WV’s plan to comply with the Americans with Disabilities Act (ADA) as upheld in the Olmstead decision. Title II of the ADA mandates that people with disabilities have the right to receive state administered services, programs, and activities “in the most integrated settings.”

People with disabilities should be given the opportunity to leave nursing homes, long term care facilities, I/DD Homes, other group homes, and psychiatric hospitals, and to be supported to live integrated in the communities of their choice.

FSN advocates for a legislative study of a *Community First Choice Option* which would allow states to provide home and community based services by providing an increased

federal share of Medicaid payments and adhere to higher standards such as no caps on services, no waiting lists and no geographic restrictions.

FSN supports legislation that will increase the availability of statewide accessible, safe and affordable *transportation*.

FSN supports legislation for housing that increases the statewide availability of accessible, economical, integrated and safe *community based housing*.

FSN supports policies that ensure people with disabilities will be able to receive quality, reliable and *self-directed services*.

FSN **will not** support the development of segregated/congregate service settings.

Out of State Placement for Behavioral Health Services:

FSN advocates for *In State Care for Behavioral Health Services*. West Virginia does not currently have adequate behavioral health services to prevent some WV Citizens from getting placed in out of state nursing homes and other institutional facilities.

- Currently, adults who could live in their own home with support are being discharged from hospitals into out of state institutions.
- Currently, children are being separated from their families and sent out of state for behavioral health services due to the lack of availability of these services in WV.

FSN Supports providing and extending community based services, and FSN supports the funding of prevention and early intervention behavioral health services to ensure that children and adults receive needed treatment to remain in their own homes in WV.

Health Care:

FSN supports a comprehensive health care system that provides

the most affordable, appropriate, effective, and quality health care services that includes people with disabilities and their families.

FSN advocates for no further reductions in the current Medicaid coverage and supports the *expansion of Medicaid coverage* for the following services:

- Dental Care to include adults
- Hearing Aids for children and adults
- Assistive Technology for children and adults
- Ventilator Services to include adults

FSN **will not** support any legislation that allows medical professionals to hasten death by judging the value of a person’s life and invoking “quality of life” concerns.

FSN believes in excellent standards of care for people with disabilities and advanced directives must be honored. We reject limitations of treatment policies directed at people with disabilities.

Funding Issues:

FSN supports increases in funding necessary to maintain or enhance critical support services that allow people with disabilities to live, work, and engage in recreation in the community.

- Aged and Disabled Waiver
- Birth-to-Three-Program
- Division of Rehabilitation Services Employment Attendant Care Program
- Extended Supported Employment Services
- Family Support
- Independent Living Services (Community Living Services Program)
- Intellectual /Developmental Disability Waiver
- Ron Yost Personal Assistance Services Program (RYPAS)
- Traumatic Brain Injury Waiver (TBI)

Education:

FSN supports legislation that ensures equal opportunities for students with disabilities to be educated in regular classrooms, in their home schools, and other inclusive settings. FSN supports full implementation and enforcement of state and federal special education policies, including transition planning, and compensatory education requirements and adherence to Individualized Education Plans (IEP's) and 504 Accommodation Plans.

Guardianship:

FSN supports the use of alternatives to guardianship for people with disabilities. FSN advocates for training of appointed counsel, mental hygiene commissioners, and judges on the necessity to explore limitations to guardianship so that the appointment of full guardianship is used only as a means of last resort.

Employment:

FSN supports legislation that would establish and implement an "Employment First" initiative, emphasizing integrated, competitive wages, community-based employment as the desired outcome for individuals with disabilities - expecting, encouraging, providing, creating, and rewarding integrated employment in the workforce as the first and preferred option of youth and adults with disabilities.

FSN supports the creation of a line item appropriation in the State budget to focus on competitive, community-based employment.

Bullying, Exploitation, and Neglect:

FSN will support legislation that protects people with disabilities against abuse, including financial exploitation, bullying, and neglect.

Other Issues:

FSN will monitor all legislation introduced that may affect people with disabilities.

For More Information Contact:

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Disability Rights are Civil Rights!

2017 Disability Agenda



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