



Providing support and information for families of children with disabilities, chronic illness and other special health care needs

They're Back Again...Let the 81st Begin

Colleen Horton, Public Policy Director,
Texas Center for Disability Studies, The University of Texas

If you read the newspaper at all, it's hard to escape all the recent articles regarding services for adults and children with disabilities. They include references to: state schools, waiting lists, Department of Justice investigations, abuse and neglect, community services, long term services and supports reform, vouchers...and much more. I'm hoping in this short article to try and put some of this in perspective for the coming legislative session. Most of the issues are in some way connected and few are determined singularly, so it helps to start with the big picture.

First, Texas currently has 13 state run institutions for those with intellectual and developmental disabilities (11 state schools/2 state centers). These institutions house approximately 4,843 individuals at a cost of around \$125,507 per person, per year compared to the \$63,529 cost to provide community services. (Legislative Budget Board, Nov., 2008) At the same time, more that 80,000 individuals (unduplicated number) with physical and developmental disabilities are on the various Medicaid waiver waiting lists...waiting for community services.

Last year, the Department of Justice issued a report on their investigation of the Lubbock State School and more recently a report on the remaining 12 facilities. The reports indicated significant abuse, lack of treatment, neglect, excessive use of medication and other restraints, preventable deaths, and much more. A House of Representatives Select Committee chaired by Rep. Larry Phillips has performed an interim study in order to make recommendations on the future of Texas state institutions. The Committee's report was released just before the holidays and can be found at <http://www.telicon.com/www/tx/topnav1.htm> additionally, earlier in the year the State Auditor's Office released a report on the state institutions, and more recently, the Legislative Budget Board issued an analysis of Texas state institutions. These reports can be found at <http://www.sao.state.tx.us/Reports/report.cfm/report/08-039> and http://www.lbb.state.tx.us/Health_Services/State_Schools_Report1108.pdf respectively. Some legislation will most likely be derived from the recommendations of these various reports.

Chairman, Patrick Rose (House Human Services Committee) announced on December 11th his intent to file legislation requiring the HHSC to develop a long term plan for reform of services for individuals with cognitive and developmental disabilities, including a plan for the closure of some state schools. The goal is to clearly identify a vision for the future of long term services and supports, improve access to services, and improve the quality of services. The intent of future facility closure is to reduce state school spiraling costs and reinvest money saved from closures into community services for people with disabilities. Many stakeholders are hopeful that this legislation will be expanded to include all disability populations.

Texas Parent to Parent

3710 Cedar Street ★ Box 12 ★ Austin, TX 78705-1449 ★ 866-896-6001 ★ 512-458-8600
website: www.txp2p.org ★ Email: info@txp2p.org

As mentioned in the last newsletter, developing a Medicaid Buy-In for children with disability has again been proposed. Additionally, Sen. Robert Deuell (the author of the children's Medicaid Buy-In legislation) has filed SB 336, giving the HHSC authority to plan and implement state institution closure activities. The objective is to remove the decision-making from the political arena and give it to the health and human services executives who know the system and can determine the most efficient and effective way to use scarce resources.

But that is not all...as with every session, ending or at least significantly reducing waiting lists for Medicaid community services waivers will be a top priority for many disability advocates. Provider rates will also be debated and decided. There will be proposals to develop opportunities for individuals with cognitive disabilities to have access to volunteer advocates to help them with major life decisions. Additionally, following the national trend, Senator Zaffirini is developing legislation that will begin the process of transitioning state language away from use of the "R" words (retard, retarded, etc.), to using more respectful language such as intellectual disabilities. There will also be voucher bills and professional development bills in the special education arena. And of course, there will be much, much more. This is only a taste of things to come in the next five months.

The session officially begins on January 13th. After the House speaker election, committee chairs and members will be assigned, and then the work begins. You can influence the decisions affecting people with disabilities and their families by knowing the issues and responding with your experiences and your voices. Your votes mean a lot to legislators, so let them know what you expect them to do. During the session I will be sending out (via email) notices when priority issues affecting people with disabilities are on the agenda (coming up in a committee hearing or for a vote). These notices are for educational purposes only, intended to inform individuals and families regarding the issues being discussed and how you can influence the outcomes. If you'd like to be added to the distribution list for these notices, please send an email to colleen.horton@mail.utexas.edu.

Texas Parent to Parent

3710 Cedar Street ★ Box 12 ★ Austin, TX 78705-1449 ★ 866-896-6001 ★ 512-458-8600
website: www.txp2p.org ★ Email: info@txp2p.org