

**FLORIDA INDEPENDENT LIVING
COUNCIL, INC.**



2007 LEGISLATIVE PLATFORM

Current Gubernatorial Appointments
to the Florida Independent Living Council, Inc.

Chip Wilson-- President
Peter Sachs--1st Vice President
Rose Lee Archer--2nd Vice President
Kristi Chapman--Secretary
Wendi Herzman--Treasurer
Roberta Van Sickle--Member at Large
Liz Howe--Network of Centers Representative
Nancy Wilbur
William Gordon
Doug Hall
Holly Miles
Rebecca Forsell
Ashley Skellenger
Nancy Peters
Bill Palmer--Ex-Officio
Mondi Azpeitia--Ex-Officio

The Florida Independent Living Council, Inc. is a statewide Council established by Florida Statute. It is a federally mandated, governor appointed, consumer controlled and cross disability entity. The Board consists of 15 voting members and in compliance with State law, a majority of the voting members are persons with disabilities. Additional representatives are from Centers for Independent Living, advocacy groups, other consumer or independent living organizations and various state agencies that are impacted by Title VII of the Rehabilitation Act.

This project is funded by the State of Florida, Department of Education
and the Division of Vocational Rehabilitation

Money Follows the Person

When the Medicaid Program was created, the majority of people with disabilities were institutionalized or placed in settings that segregated them from the general population. As a result, the Medicaid Program was designed to pay for the costs of those individuals in institutional settings. All procedures and policies in the design of the Medicaid Program were created to support institutionalization before it was determined to be a violation of the Americans with Disabilities Act (Olmstead vs. LC and EW) for states to unnecessarily house a person with a disability in any setting that is too restrictive based on their own abilities and desires.

The challenge now is to remove the discriminatory bias that was built into the Medicaid Program by allowing the currently funded nursing home or institutional bed funding follow the person into the community. The bed funding would be used to purchase the necessary and appropriate waiver services to support the individual in a less restrictive setting.

The Florida legislature has implemented numerous efforts to decrease the discriminatory bias in the design of the Medicaid program, implementing programs to divert new admissions to nursing homes if appropriate, implementing programs that allow choice to occur in relation to the community services and much more; but the effort to implement nursing home transition has not yet formally begun.

Recent activity by the Department of Justice focusing upon the least restrictive setting requirement under the ADA, has held the state responsible for the violations of the ADA and Medicaid fraud as the nursing homes funds were being expended on an adult who did not need that level of care.

While the State of Florida has continued to implement new initiatives, the costs of community based waiver services had drastically increased, but the costs of the nursing home and institutional programs have continued to remain the largest section of the Florida Medicaid budget to date. Money Follows the Person (MFP) will provide Florida with an opportunity to directly decrease the largest budget category in the legislator*s efforts to control Medicaid spending. Just as the waiver and nursing home programs have to have an administrative arm in place for the services, nursing home transient would need transition case managers to oversee the creation and implementation of effective transition plans with the acquisition of appropriate and comprehensive community supports put into place.

Medicaid Buy-In to Keep Medicaid Insurance While Working

Lack of access to health care insurance while working is sited as one of the chief barriers by persons with disabilities. There are many studies which support allowing persons with disabilities to keep their Medicaid or have the opportunity to buy into it while working. Such a program was passed in the 2001 session of the Florida legislature and then repealed after 9-11. It is time for Florida to institute this much needed program. The state, persons with disabilities and business all benefit from such a resource.

Drive Thru and Gas Station Access

Service station accessibility is a major concern for drivers with disabilities. As the world has moved to a self service model, people with disabilities often have difficulty when they are unable to pump their own gas. Gas stations normally have pumps, card readers, and or buttons that are inaccessible for individuals with disabilities.

Federal regulation has attempted to address the issue. Federal policy requires that service stations pump the gas for drivers with disabilities whenever more than one employee is on duty. Many stations tell drivers to honk their horns for assistance, but this normally brings puzzled stares or is ignored.

The Florida Independent Living Council, Inc. strongly supports the implementation of the FuelCall system. FuelCall consists of call buttons which conform to the American with Disabilities Act (ADA) with appropriate signage at the gas station as well as on billboard advertisements. FuelCall allows the driver a dignified means to request assistance with refueling. Stations nationwide, including the Florida Turnpike are starting to adopt this innovative answer to the problem of refueling assistance.

Florida's Ticket to Ride -- Travelers Cheques

The Florida Ticket to Ride is in response to the gaps in the current transit programs which often do not go where or when, or in a timely manner to the destinations of people with disabilities, senior citizens or those with low incomes. Put simply the Ticket to Ride is a self directed voucher program. This Florida Ticket to Ride Program is based on the 5 year Travelers Check program run by the Association of Programs for Rural Independent Living (April) with outstanding results in several states. This program allows a person to arrange their own transportation to and from their place of employment with a coworker, a neighbor or a family member and pay (by the mile) an agreed upon rate, which is then reimbursed by an agency. In Florida we propose that the Commission for the Transportation Disadvantaged (CTD) sponsor the program with the cooperation of the Centers for Independent Living and the Area Agencies on Aging. It gives the person with a disability or an elderly individual the freedom to find their own transportation at a reduced cost (approximately \$.50 a mile verses as much as \$4.00 a mile) then the Transportation Disadvantaged or Para Transit can currently sponsor. While some adjustments may have to be made to fit specific community circumstances, the tool kit for the project is in place and ready for implementation.

Pedestrian Safety

Statistics indicate that pedestrians in Florida are at much higher risk of being seriously injured or killed in traffic-related accidents than almost any other state in the nation. Florida's "White Cane Law" (316.0301 & 316.0303) indicates that drivers must come to a complete stop when a person, who is blind or mobility impaired is attempting to cross a street. However, awareness and enforcement is seriously lacking. Law enforcement agencies and the judiciary must strictly enforce these laws. Further, turning right on a red light should not be permitted when the walk signal has been initialized.

Funding for Centers for Independent Living

Support the Division of Vocational Rehabilitation's Legislative Budget Request. Allocate recurring funding of the \$1.5 million line item for the Centers for Independent Living in the Division of Vocational Rehabilitation budget and proviso language directing the Division to provide \$3.3 million from Social Security reimbursements. The funding will be used to provide 4 core independent living services and pre-employment services to persons with disabilities of all types and all ages.

According to the US Census bureau 19.3 percent of the population has a significant disability. This means there are approximately 3.8 million Floridians who have a significant disability. This item will support the current and growing population of persons with disabilities in Florida.



Florida Independent Living Council, Inc. Responsibilities

The Florida Independent Living Council, Inc.'s purpose is to promote independent living opportunities for persons with disabilities throughout the State of Florida. This includes the promotion of a direct service philosophy that is consumer controlled and consumer driven.

The primary responsibility of the Council is to meet its various legal obligations that are covered in both the Federal Rehabilitation Act of 1973, as amended, and Florida Statutes 413, Part II.

These responsibilities include developing a State Plan for Independent Living. FILC, Inc. accomplished this in partnership with consumers, other independent living centers and organizations, the Florida Department of Education Division of Vocational Rehabilitation and the Division of Blind Services.

FILC Inc. continues to work to assure that all persons with disabilities in the state of Florida are given the supports and opportunities necessary to live full, independent lives in the least restrictive setting possible.

For more information, please visit our website at www.flailc.org.

Florida Independent Living Council, Inc.

Mission Statement

To assist and advocate for people with disabilities
in achieving equal opportunities
"Independence Worth Preserving"

Vision Statement

Fostering change via leadership,
collaboration and visitability

Molly Gosline, Executive Director
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