

**FLORIDA INDEPENDENT LIVING  
COUNCIL, INC.**



**2008 LEGISLATIVE PLATFORM**

CURRENT GUBERNATORIAL APPOINTMENTS  
TO THE FLORIDA INDEPENDENT LIVING COUNCIL, INC.

PETER SACHS-- PRESIDENT  
HOLLY MILES--1ST VICE PRESIDENT  
ROBERTA VAN SICKLE--2ND VICE PRESIDENT  
DOUG HALL--SECRETARY  
UBALDO ALVAREZ--TREASURER  
BECKI FORSELL--MEMBER AT LARGE  
JULIE SHAW--NETWORK OF CENTERS REPRESENTATIVE  
CHIP WILSON  
ROSE LEE ARCHER  
NANCY WILBUR  
WILLIAM GORDON  
ASHLEY SKELLENGER  
WILLIAM ALLEN  
JEFF OATLEY  
LINDA MILLS  
JULIE KATES--EX-OFFICIO  
MICHAEL ELLIOT--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 under a Memorandum of Agreement with the State of Florida, Department of Education/Division of Vocational Rehabilitation and Division of Blind Services

# **Florida Independent Living Council, Inc.**

## **Legislative Platform 2008**

### **Affordable/Accessible Housing**

The Florida Housing Trust Fund (also called The William E. Sadowski Affordable Housing Act) was established in 1992 as a trust for affordable housing. The Act dedicated 20 cents of the proceeds from the documentary stamp tax to state and local housing trust funds. Funding was tied to the documentary tax revenues so that a dedicated funding source could be maintained. In recent years, the Florida legislature has imposed a statutory “cap” of \$243 million on the amount of the documentary stamp revenues that can be placed in the Trust Fund with the balance of the documentary stamp revenue to be held in reserve or used for other purposes. However, those funds are still desperately needed to create and preserve housing for low income Floridians. In order to expand housing options for persons with disabilities, substantial new funding is required. Individuals with disabilities are among the hardest hit by the scarcity of affordable accessible housing.

One of every three adults with disabilities lives at or below 50% of area median income, compared with one of every eight non-disabled adults. Less than 10 percent of people with disabilities own their own homes. Federal funding for affordable housing has been steadily reduced each year, producing long waiting lists for Section 8 rental assistance all over the state. Without an affordable accessible place to live, many individuals with disabilities will wind up in institutional settings, at a much higher cost to Florida’s taxpayers. The Sadowski Affordable Housing Act has served as a model for every other state in the country and, until the year 2003, Florida led the nation in its commitment to affordable housing.

### **Expand the Medicaid Reform “Carve Out” for people with disabilities to include all people with disabilities who receive Home and Community Based Waiver Services.**

Medicaid Reform - Currently, the Medicaid reform legislation “carves out” specific populations of people with disability. The carve out was created due to concerns related to the fragility of the population and the ability of some people with a disability to plan their own health care effectively, especially in the area of enhanced benefits which is an important component of Medicaid reform in Florida. Some people with specific disabilities receive services under the Home and Community Based Waiver Programs (HCBW). The Florida Independent Living Council, Inc. (FILC) would respectfully ask you to consider amending this “carve out” to include all individuals who are receiving services under the HCBW programs. All HCBW individuals have been determined eligible for the Home and Community based waiver, but they have received their support services in a community setting. All individuals on HCBW meet the same criteria and have the same needs programmatically. HCBW services are being provided in place of

nursing home care. Managed care options are not being applied to institutional settings and therefore all HCBW individuals should remain out of the current Medicaid Reform project, as it exists today until special planning occurs to incorporate all HCBW recipients.

### **Medicaid Buy-In**

Persons with disabilities cite the lack of access to healthcare insurance while working as one of the chief barriers to employment. There are many studies which support allowing people with disabilities to keep their Medicaid or “buy into” their health insurance while in the workforce. Such a program was once passed by the Florida Legislature but was repealed after 9-11. It is time for disabled Floridians to be able to know and enjoy the dignity of employment. The state, people with disabilities, and business would all benefit from this resource.

### **Drive Through and Gas Station Access**

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

Federal legislation has attempted to resolve this issue by requiring that service stations pump gas for drivers with a disability whenever more than one or more employees are on duty. Many stations tell disabled drivers to honk their horns for assistance but this often brings only puzzled stares or is ignored. Using cell phones to call for service should not be considered an option, as many people with a disability cannot afford such a luxury.

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

### **Florida’s Ticket to Ride**

The Florida Ticket to Ride was developed in response to the gaps in the current transit system for people with disabilities, senior citizens or those with low incomes. Often these passengers are not being transported to their destinations on time or at all. Put simply the Florida Ticket to Ride is a self-directed voucher program. Based on the 5 year “Travelers Cheques” program developed by the Association of Programs for Rural Independent Living (APRIL) currently in use in several states with outstanding results. This program allows a person to arrange his or her own transportation to and from their

place of employment with a coworker, a neighbor or family member and pay (by the mile) an agreed upon rate, which is then reimbursed by a designated agency. In Florida we propose that the Commission for the Transportation of the Disadvantaged (CTD) sponsor the program with the cooperation of the Centers for Independent Living and the Area Agencies on Aging. The program would give the person with a disability or an elderly individual the freedom to find his or her own transportation and reduce the cost from as much as \$4.00 per mile (currently sponsored by transportation Disadvantaged or ParaTransit) to approximately \$.50 per mile. While some adjustments may have to be made to fit specific community circumstances, the tool kit for the package is in place and ready for implementation.

### **Money Follows the Person Pilot**

Support proviso language that will allow the Agency for Health Care Administration and the Florida Independent Living Council, Inc. to create a pilot program that will demonstrate the cost effectiveness and savings of transferring persons with disabilities under the age of 62 out of nursing homes and into community based living. The pilot program will allow persons with disabilities who reside in nursing homes to use their Medicaid dollars on a community based support system rather than for the nursing facility.

The Florida Independent Living Council, Inc. (FILC) proposes that AHCA set aside 50 (\$1.75 million) community based waiver slots to assist in the transitioning of persons with disabilities out of institutional settings and into the community. This proposal includes two urban sites and one rural site so that data from both rural and urban areas can be gathered for comparison. The three designated Centers for Independent Living will provide support coordination to assist individuals transitioning into the community and help them access community services.

On June 22, 1999, the United States Supreme Court held in *Olmstead vs. L.C.* that the unnecessary segregation of individuals with disabilities in institutions may constitute discrimination based on disability. The court ruled that the Americans with Disabilities Act may require states to provide community-based services rather than institutional placements for individuals with disabilities. Transitioning persons with disabilities from institutionalized settings into the community would assist Florida in complying with the *Olmstead* decision and the Americans with Disabilities Act (ADA).

### **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](http://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 VISITIBILITY**

**MOLLY GOSLINE, EXECUTIVE DIRECTOR  
DONALD A. DAWKINS, MAED, ADVOCACY COORDINATOR  
KRISTI CHAPMAN, CONSUMER ADVOCATE  
JENNY STARK BOPP, OFFICE/FISCAL MANAGER**

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