Building Bridges Gathering Promotes Better Service for Local Disabled

Persons with all types of disabilities, both visible and invisible, will be better served as a result of a recent collaborative gathering of agencies and non-profit groups at Tri-County Independent Living’s office in Eureka.

The event was called Building Bridges II and it was held on Thursday, October 22, 2015. It was the second annual collaborative gathering coordinated by Tri-County Independent Living, designed to open lines of communication, share information, and ultimately provide better services in our community.

“It was an opportunity to share with others information on the services we provide, and learn about the variety of services available locally,” Tri-County Independent Living Executive Director Donalyn Sjostrand said.

Representatives from 30 agencies and organizations gave a brief presentation to the group of nearly 40 people on specific services available (many locally), and after a light lunch, enjoyed one-on-one networking time.

A Directory of Services has been compiled and will soon be posted on Tri-County Independent Living’s website for downloading and printing.

More photos and a list of all who participated can be found on Page 6

Deaf Children Tell Santa Claus Their Christmas Wishes in Eureka

More than two dozen children from the local deaf community told Santa Claus what they wanted for Christmas at a Signing Santa family gathering at Tri-County Independent Living. The event took place on Saturday, December 12th and presented an opportunity for more than two dozen children to communicate with Santa through sign language. Through a signing Santa, deaf and hearing-impaired children were able to enjoy the magic of telling Jolly Old St. Nick their Christmas wishes.

Each child also received a gift from Santa, and created holiday crafts, including decorating figures in the shape of a hand signing ‘I Love You’ with glitter, sequins, and ribbons.

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Tri-County Independent Living Reaches Out to Hispanic Population

Not only is Tri-County Independent Living’s information brochure now available in Spanish, bi-lingual assistance is available at Tri-County Independent Living on programs and services available to persons with disabilities.

Independent Living Program Coordinator Mari Dorenstreich is fluent in both Spanish and English and can offer assistance by appointment, Tuesday—Friday.

Tri-County Independent Living also attended the recent LatinoNet Health Fair, held October 18th at Redwood Acres Fairgrounds in Eureka. (pictured, bottom left).

The Festejando Nuestra Salud/ Celebrating Our Health event was held during Binational Health Week.

Tri-County Independent Living representatives handed out information about programs and services, and also provided information about assistive technology devices (pictured).

The event was more than just a health fair, it also included food, music, children’s activities, free health screenings, and health care referrals.

RespectAbility—published quarterly by Tri-County Independent Living
Editor: Mary Bullwinkel

This newsletter is intended for persons of all ages with all types of disabilities, their families, caregivers, and others interested in issues related to independent living.

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**Tri-County independent Living Reaches Out to Veterans**

Participating in the 2015 North Coast Stand Down, Tri-County Independent Living directly interacted with many local veterans and others, providing information about important services and programs.

Tri-County Independent Living staff handed out brochures and copies of this newsletter, as well as pens and note pads, magnifiers, and assistive technology information.

A number of assistive technology items were also on display, including accessible door handles, a long-reach grabber, a jar/bottle opener and a suction-mounted grab bar.

Tri-County Independent Living received a certificate of appreciation for participating and disseminating important information to veterans and their families.

**More Beach Wheelchairs Coming to Humboldt County**

Perhaps you weren’t even aware that there was a beach wheelchair available in Humboldt County...but for several years, there has been one at Gold Bluffs Beach in Prairie Creek Redwoods State Park.

Now, thanks to grants from both the California Coastal Conservancy and the California Coastal Commission, there will be seven more beach wheelchairs, paving the way so to speak, for greater access to coastal enjoyment opportunities.

A $22,000 Coastal Conservancy grant to the Redwood Parks Association was approved in October 2015. The money is earmarked for six beach wheelchairs and accompanying storage sheds. The proposed locations will be Stone Lagoon Visitor Center, Prairie Creek Visitor Center, and Gold Bluffs Beach Ranger Station in Humboldt County, and Enderts Beach, Mill Creek, and the Crescent City Visitor Center in Del Norte County. With the accompanying storage sheds, the beach wheelchairs will be placed directly at the beach, will not have to be transported by vehicle and will be more readily available for use.

Also in Humboldt County, Friends of the Dunes received a new beach wheelchair in December, which will be available at the Humboldt Coastal nature Center in Manila. The beach wheelchair will be able to travel down the main trail to the shoreline, where there is also access to the Ma-le’l Dunes and Manila Dunes. The beach wheelchair was purchased with a grant from the California Coastal Commission.
Tax-Free ABLE Savings Accounts Can be Established in California in 2016

The New Year will bring a new opportunity for persons with disabilities to save money.

California Governor Jerry Brown signed into law two bills that create the California Achieving a Better Life Experience (ABLE) Act. The ABLE program and fund would be established under the California Welfare and Institutions Code and be administered by the California State Treasurer.

California ABLE accounts would apply to taxable years beginning on or after January 1, 2016 and before January 1, 2021. The California ABLE program is scheduled to end on January 1, 2022.

California residents wanting to establish an ABLE account must have received a disability certification filed with the state for the taxable year. ABLE accounts are available for individuals whose disability began before age 26.

Contributions made to an ABLE account can be considered a tax-free gift, so long at the amount does not exceed the per-donor limit of $14,000 in one year. The first $100,000 in an ABLE account will not count against the $2,000 Supplemental Security Income (SSI) resource limit, nor will it count against resource limits in other programs such as Medi-Cal.

A distribution from an ABLE account is typically not subject to generation skipping transfer tax or gift tax.

Money from an ABLE account can be used for qualified disability expenses.

Qualified disability expenses may include legal fees, expenses for oversight and monitoring, personal support services, assistive technology, employment support and training, housing, education, transportation, financial management, burial expenses, health and wellness, and other expenses which may be approved by the state of California.

According to the National Disability Institute, the ABLE accounts will provide more choice for control for the beneficiary and the family. The cost of establishing an ABLE account will be considerably less than either a Special Needs Trust or Pooled Income trust. With an ABLE account, account owners will have the ability to control their funds and, if circumstances change, still have other options available to them. Determining which option is the most appropriate will depend upon the individual circumstances. For many families, the ABLE account will be a significant and viable option in addition to, rather than instead of a Trust program.
Two pieces of legislation related to the Americans with Disabilities Act (ADA) were signed into law by California Governor Jerry Brown in October.

**Assembly Bill 1230 (Gomez, D—Los Angeles)** establishes the California Americans with Disabilities Act Small Business Capital Access Loan Program. This will be a self-sustaining program to provide loans to small business to become ADA compliant. This program will be within the California Pollution Control Financing Authority, and will be established by a one-time $50 million General Fund appropriation.

A small business is defined as 15 or fewer full-time employees, less than $1 million in total gross income, and one that does not provide overnight accommodations.

The other law signed by Governor Brown is **Assembly Bill 1521, authored by the Assembly Judiciary Committee.** According to the legislative summary, this new law provides additional information and legal resources to small business owners who may not realize their liability for ADA violations or respond to a lawsuit filed against them. It also limits the practice of high-volume lawsuits, motivated by quick settlement with business owners, rather than correction of ADA violations.

The law defines a "high-frequency litigant" as someone who has filed 10 or more complaints alleging violation of accessibility in the past 12 months and institutes higher filing fees as well as other new procedure requirements.

It also creates a new answer form, allowing business owners to respond to lawsuits, and, where necessary or appropriate, to do so without hiring an attorney.

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**Senate Bill 251 (Roth, D—Riverside)**, opposed by Disability Rights California, the California Foundation for Independent Living Centers, and others, was vetoed by California Governor Jerry Brown in October.

The bill would have given small businesses 15 days, upon written notice or lawsuit, to correct three types of violations: ADA required signs, parking lot striping, and under-foot warning surfaces. It would also have given businesses with 100 or fewer employees 120 days from the date of an inspection by a certified access specialist, to correct any ADA violations found, during which time, the business would be safe from statutory penalties. The measure also provided tax credits to help business owners offset part of the cost of ADA improvements, which was the basis for Governor Brown’s veto.

“Given...financial uncertainties, I cannot support providing additional tax credits that will make balancing the state’s budget even more difficult,” Governor Brown said in a veto message regarding **SB 251** and eight other bills. **Continued on Page 9**
**Building Bridges II Participants...from front page**

Collaboration is the key to providing better services to persons with disabilities in our community. The following attended the Building Bridges II gathering at Tri-County Independent Living on October 22, 2015:

- 2-1-1 Humboldt
- Area 1 Agency on Aging
- California Department of Rehabilitation
- California Telephone Access Program
- Change 4 Change
- College of the Redwoods Disabled Students Programs & Services
- Disability Rights California (Office of Clients’ Rights Advocates)
- Del Norte Rural Human Services
- Enriching Lives
- Eureka Community Resource Center
- Eureka Vets Center
- Food for People
- The Hope Center
- Humboldt Community Access and Resource Center (HCAR)
- Humboldt Council for the Blind
- Humboldt County Mental Health Advocates
- Humboldt County Office of Education
- Humboldt Senior Resource Center
- In-Home Supportive Services Care Provider Registry
- Information Technology Assistance & Coordination
- LightHouse
- Making Headway Center for Brain Injury Recovery
- North Coast Rape Crisis Team
- NW Committee for Employment of People with Disabilities
- Progressive Employment Concepts
- Redwood Coast Regional Center
- State Council on Developmental Disabilities
- Trajectory
- Tri-County Independent Living
"It was an excellent example of what we are here to do," said Tri-County Independent Living Executive Director Donalyn Sjostrand, “to empower and support clients in enriching their own lives themselves. The wonder, joy and happiness that overflowed from these children and their families as they experienced a Santa they could talk to,” she continued, “literally brought tears to my eyes.”

As Santa left the party, one youngster followed him all the way out the door signing “I Love You! I Love You! I Love You!”

Families, individuals and friends came to the party dressed in their holiday best, and as everyone visited with each other, lively conversations abounded, both signed and spoken.

A buffet lunch of sandwiches, pizza, vegetables, fruit salad, and of course, holiday cookies was enjoyed by all.

Special thanks to the generous sponsors of this event: The Fortuna based McLean Foundation gave a grant to pay for the food and the holiday gifts. Other sponsors include Costco, Safeway, and Humboldt Del Norte SELPA (Special Education Local Plan Area).
The primary focus of the 44-page Making My Way Through College guide, released in October 2015, is navigating the college experience for students with disabilities. Much of the information is also relevant to all students.

The guide was released by the National Collaborative on Workforce and Disability for Youth (NCWD/Youth). It is divided into sections including Getting Oriented, Planning for Success, Making College Count, and Out in the World. A variety of topics are included in each section, and a “to do” checklist as well.

Topics under the Getting Oriented section include decisions about disability disclosure and connecting to disability services, getting to know your school, figuring out finances, learning about disability benefits planning, deciding what support you need and getting connected, connecting with other students including students with disabilities, and taking charge of your health and well-being.

The Planning for Success section includes topics such as understanding yourself, and creating an individualized plan. Making College Count includes information on each semester, year one and beyond, the final year, and graduation.

The guide recommends students contact the student disability services on campus to get facts on how the school can provide support.

At Humboldt State University, students can contact the Student Disability Resource Center, located in the Learning Commons, Lower Library, and by calling (707) 826-4678.

College of the Redwoods (CR) Disabled Students Programs & Services is located on the CR campus, and can be reached by calling (707) 476-4289.

The guide also recommends talking with staff at Independent Living Centers, such as Tri-County Independent Living in Eureka (707-445-8404), to learn about self-advocacy.
In opposition to the SB 251, Disability Rights California said, “Notice requirements are unworkable...further, the advance notice requirement effectively precludes most people with disabilities from ever asserting their rights.”

Senator Roth said he was extremely disappointed in the Governor’s veto. The Consumer Attorneys of California were one group supporting the legislation “to find a solution to a problem plaguing many California communities: how to make buildings more accessible for people with disabilities, while at the same time stopping the abusive practices of some attorneys who are filing multiple lawsuits mostly against small businesses and seeking fees, not compliance.”

Governor Brown also vetoed Assembly Bill 1342 (Steinorth—R, Rancho Cucamonga), which would have appropriated $500,000 from the General Fund, to the California Commission on Disability Access. The money would have been used to enhance outreach efforts to both businesses and the disabled community and facilitate a productive dialogue surrounding disability access.

The bill would also have required a commercial property owner to state on every lease form or rental agreement executed after January 1, 2016, whether the property has been inspected by a Certified Access Specialist, and would have added two permanent outreach jobs to the Commission on Disability Access.

In his veto message Governor Brown supported the idea of providing owners and tenants the opportunity to address accessibility problems, but said the two new positions created should be an issue addressed during the annual budget process.

### IHSS Changes Taking Place in 2016

**By Cindy Calderon, Tri-County Independent Living Community Organizer**

Significant changes are coming to the In Home Supportive Services (IHSS) program in 2016. These changes impact care providers as well as consumers. Almost all IHSS consumers and care providers have been notified by mail of these changes.

Beginning February 1st, IHSS care providers will be paid overtime, if they work more than 40 hours per week. Changes include:

- Overtime rules and limits (The limit refers to a cap on hours. In this case it means that all care providers will be paid for up to 66 hours per week—40 regular hours plus 26 overtime hours). The 66 hours per week limit may not be exceeded regardless of number of recipients.
- Penalties for care providers who exceed authorized hours.
- Weekly authorized hours and limits.
- How to request changes to weekly authorized hours.
- Mileage between clients will be paid to care provider.
- Wait time at medical appointments, called “engaged to wait” will be paid.

Continued on Page 11
HSU Fit Program reaches Out to Children with Disabilities

This article is reprinted from original publication in May 2015, with permission from Humboldt State University

Making the biggest possible splash in the Humboldt State pool was the goal of Bradley Carr, an 18-year-old enjoying a Friday night session of HSU Fit. But the larger objective for Bradley and 25 other children participating this (past) spring has a longer-lasting ripple effect.

Conceived by Recreation Administration professor Jayne McGuire, HSU Fit is a program for children ages 6 to 18 that addresses the lack of physical activity and associated health risks among children with disabilities. Paired with peer partners – undergraduate students enrolled in McGuire’s REC 480 Practica course – each child follows a routine that addresses individual fitness and cognitive goals over a six-week period.

“There seems to be a lack of opportunities for kids who have disabilities to engage in recreation and fitness activities,” says McGuire. “As soon as parents heard about HSU Fit, they wanted to sign their children up.”

Enrolled in the program’s first semester are (were) 13 children with disabilities and 13 of their non-disabled siblings or friends. Together, they represent one component of the four-layered system designed to benefit campus and community.

“When families have a child with disabilities, their siblings are often recreating in a different program,” McGuire says. “It’s a nice opportunity for children with and without disabilities to participate together.”

HSU Fit’s second layer focuses on those parents, who are often in need of respite from the responsibilities linked to raising children who have special needs. During the Friday night activity slot, they have the option of participating in an adult wellness program that offers yoga, relaxation and other healthy pursuits. If they prefer, parents can also use the time to shop, catch a movie, or go out to dinner.

Assembling and overseeing the first two elements are teaching credential candidates working on their adapted physical education added authorization. They plan what is happening in the gym, what goes on in the dance room, and how pool activities are structured. They’re also responsible for training and orientation of the peer partners.

Continued on next page
HSU Fit Program...continued from previous page

While the parents take a break, those peer partners take over, guiding children through their selected activities and monitoring week-to-week and overall progress. Students enrolled this spring come from a variety of majors, McGuire says, including Child Development, Psychology, Dance, Kinesiology, and Recreation Administration.

“The greatest challenge of participating in this program is taking a step back to understand the wide variety of abilities these children have,” says Maddi Null, who graduated this (past) spring with a B.A. in Recreation Administration. “It was very rewarding to watch my peer partner, Madison, become so much more confident in her swimming abilities. The smile that lit up her face the first time she swam across the pool without a life jacket was pure joy.”


IHSS Changes Taking Place in 2016...Continued from Page 9

Overtime will be a benefit for most of the IHSS providers who receive it, but for seniors and people with disabilities that require more than 66 hours of care per week, overtime will cause harm due to the limits (cap) set on hours.

The 66 hours cap is per week, not per consumer, which will impact, for example, family members providing care for more than one family member on IHSS (such as a parent provider with more than one child with disabilities, or an adult child caring for aging parents). It could mean that another care provider would need to brought in to work the remaining hours.

Since there are no exceptions to the new state law, the cap on hours can also reduce total hours for many non-family providers who care for more than one person.

Care providers who are qualified to work for high hour consumers may be hard to find, especially in rural areas.

Also some consumers have health issues that prohibit them from allowing or letting an unknown person provide them with personal care.

If the caps on hours will cause harm to you or a family member, please contact your legislator (Senator Mike McGuire, (707) 445-6508 or Assemblyman Jim Wood, (707) 445-7014 and tell them your story!

If you need help with this, contact Cindy Calderon at Tri County, 445-8404. And if you have questions about your particular situation, call the Humboldt County Adult Services at (707) 476-2100.
Looking Back….Your Voice, Your Choice Gathering in Eureka—2004

Editor’s note: The purpose of this article is to highlight some of the events and accomplishments of Tri-County Independent Living, established more than 35 years ago (in 1978) as Humboldt Access Project.

40 people gathered at the Red Lion Inn in Eureka to talk about developing skills to accomplish positive change. In particular, five specific issues were discussed: housing, employment, transportation, access to medical care, and In-Home Supportive Services.

Marie Jobling, founder and director of the San Francisco-based collaborative Planning for Elders in the Central City, was the facilitator for the gathering. In the afternoon, attendees broke into small groups to brainstorm ideas on how to create changes in the five topics mentioned previously.

Transportation was identified as an important issue, with several attendees speaking of the need to educate the community as a whole, since many people don’t use public transportation and are not aware of the challenges involved.