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IMPACTED BY RECENT CUTS TO DISABILITY SERVICES? “Know Your Rights” and other Age-Old Advice

With upwards of \$90 million in cuts to disability services in the FY10 budget, thousands upon thousands of individuals with disabilities and their families are losing (or being offered lesser) services. Below is some age-old advice (along with some specifics) that will help as you fight to maintain services for yourself or your loved one.

1. Know your rights

Whether you are losing services or being forced to change services, you have ***certain appeal rights*** – though they ***often expire after 30 days of losing services***. The first step is to ***formally appeal any changes (with DDS or other state agency) and inform your provider***. An appeal accomplishes three things: 1) It makes state agencies aware of the real-life impact. 2) It gives them more information as their decision may not have been made with all the pertinent information. 3) It reinforces, in a very tangible way, the necessity of the service in question.

2. Do your homework

In all cases, ***familiarize yourself with DDS regulations around Individual Support Plans (ISP)***. These regulations are available at: www.mass.gov/Eeohhs2/docs/dmr/regs/reg_115cmr006.pdf. Section 6.25 (modification) and Section 6.30 to 6.34 (appeals) may be of particular interest. Here are some specifics that may apply to you:

- **Plan of Care:** Closely review your records for a Plan of Care (POC) document (not the same as an ISP) – if you have one, you have additional federal rights as services cannot be changed without your consent.
- **Class members:** If you are a Ricci or Rolland class member, you also have additional rights.
- **AFC and PCA Services:** If losing services, ***you may be eligible for AFC or PCA services if you are Mass Health eligible***. These funds are available for adults with disabilities living at home who need help with personal care.

AFC (Adult Family Care) offers monthly stipends, up to \$18,000 a year, for caregivers for a wide variety of services. For more information:

- Call 1-800-AGE-INFO

PCA (Personal Care Attendant) services are available for adults with chronic disabilities who require physical assistance with two or more Activities of Daily Living. This service can be used for activities both inside and outside the home. For more information

The Arc, the largest advocacy organization working on behalf of individuals with intellectual and developmental disabilities in Massachusetts, represents 180,000 individuals and families statewide. It has 21 chapters across the state and works with 60 other organizations to advance services for individuals with disabilities.

- See the [PCA consumer handbook here](#)
- Call Mass Health at 1-800-841-2900

3. Follow the money

If you are losing services, you should be able to trace the cuts back to the state budget. Ask your provider or case manager (DDS, MRC or other state agency) which line-item(s) funds the services you were getting. When talking to your legislators, reference the line-item name and number. The FY10 budget cuts include:

➤ Day/Employment (5920-2025)	-\$10.1 Million
➤ Transportation (5920-2000)	-\$3.6 Million
➤ Respite/Family Support (5920-3000)	-\$9.6 Million
➤ Turning 22 (5920-5000)	-\$2.7 Million
➤ DESE-DDS (5948-0012)	-\$4.9 Million
➤ Early Intervention (4313-1020))	-\$3.7 Million
➤ MRC Extended employment (4120-0021)	-\$3.3 Million
➤ Dental Health (4512-0050)	-\$232,000 - \$427,000

Look under the State House/Policy link of our website, www.arcmass.org, for the [latest budget information](#) on disability services. You can also do budget tracking on the state website, www.mass.gov/budget.

Turning 22 Annualization: Not only was FY10 funding for T22 services cut (see above), but the budget also does not include “annualization” language for second-year (FY11) funding, which The Arc has historically fought for and won. If you have a child over 16 years old who will need transition supports in the coming years, you should begin talking to your child’s school about the need to advocate for T22 services. Ask them to register on our website at www.arcmass.org.

4. Put it in writing

You may want to do much of your communication by phone – an excellent way to make personal connections and network. However, at some point – whether you’re not getting the attention you deserve or if someone makes a verbal commitment – put it in writing. This is true whether dealing with your elected official, the Department of Developmental Services or another state agency.

- **Department of Developmental Services**

500 Harrison Avenue, Boston, MA 02118

617-727-5608 info@dmr.state.ma

For [area offices](#), go to www.mass.gov/dds and click ‘About the Department’

- **Massachusetts Rehabilitation Commission**

27 Wormwood Street, Boston, MA 02210-1616

1-800-245-6543 www.mass.gov/mrc

5. The squeaky wheel gets the grease

Yes, there are cuts and yes, thousands of people are being impacted. But if you make enough noise, you increase your chances of being among the “lucky ones.” Be polite and courteous, but also be persistent. Remember that your elected officials and government employees work for you, not the other way around.

- **Contact your State Legislator:** Go to www.mass.gov/legis and select [Senator](#) or [Representative](#) for complete list. Or, if you need to know who your legislators are, go to www.wheredoivotema.com and fill in your address.

- **Governor Deval Patrick:**

Massachusetts State House

Office of the Governor

Room 280, Boston, MA 02133

617.725.4005

www.mass.gov/contactus

6. The pen is mightier than the sword

Ok, in an age when newspapers are increasingly fragile, this may be an overstatement. Still, taking advantage of the mass media has always been one of the most effective advocacy tools. Despite the tragedy of it (or perhaps because of it), losing services is a compelling story. Write your local newspaper, start a blog, call a talk-show. When you tell your story, be sure to make it simple and compelling – stressing the real-life impacts. Having to leave your job? A child losing skills gained over years of hard work? A loved one going from productive days to days on end of sitting at home with nothing to do? These are the things they will remember.

- For **Local Media Contacts**, [click here](#) or see our media resources under the 'News & Analysis' tab of our website.

7. Use all the tools in your toolbox

There are many resources out there and a great deal of expertise that may be of help to you.

- Look through the **Community Services tab on The Arc's website**, www.arcmass.org
- **Register on www.arcmass.org** to get updated information emailed to you
- Join **The Arc Action Center** (www.capwiz.com/thearc and select Mass.)
- Join **other active advocacy groups** (Mass. Advocates for Children, Advocates for Autism in Massachusetts, Mass. Families Organizing for Change, etc.).
- Consider hiring **"Support Brokers"** (www.supportbrokers.org) for expert advice on getting the services you need (support brokers is a fee-based service).
- **Legislative Advocacy Guide:** [Click here](#) or go to www.arcmass.org and under State House/Policy, select Legislative Advocacy Tools. Click on Legislative Advocacy Kit.

8. There is strength in numbers

Individual lobbying is essential and often preferred; but rallies at the State House, mass email campaigns or surveys have a power all their own. As was proven by the recent snap-of-a finger restoration of zoo funding, elected officials are easily influenced when there is mass outcry. Sign up to our Action Center (see #4) to participate in email campaigns, register at www.arcmass.org to get the latest info on rallies and other events. If you haven't already, take The Arc's survey that we have launched to document the impacts to individuals and families of the recent cuts to disabilities services. The data gathered will be used for legislative, press and/or legal efforts.

- **Survey: Impact of FY10 Budget Cuts on Individuals/Families:** [Click here](#) or go to www.arcmass.org and look for the link under "Current Events & Issues" headline.