

## MAJOR STORIES:

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## Ohio Launches Country's First ABLE Program

June 1, 2016

The ABLE National Resource Center, managed by National Disability Institute (<http://www.realeconomicimpact.org/>) (NDI), is excited to announce that on June 1st the State of Ohio launched its "STABLE Account" program. With the launch of this program, Ohio becomes the first state in the country to offer ABLE accounts to qualified individuals with disabilities. Moreover, the "STABLE Account" program is a national program, offering enrollment to individuals with disabilities both in Ohio and across the country.

Ohio's program allows qualified individuals with disabilities to save up to \$14,000 a year in their STABLE account without jeopardizing their eligibility for federally-funded means tested benefits, such as Social Security and Medicaid. The funds in the account can be used for disability-related expenses that assist the beneficiary in increasing and/or maintaining his or her health, independence or quality of life.

Millions of individuals with disabilities and their families are often relegated to a life of poverty as a result of not being allowed to build even the most modest levels of resources. Individuals receiving support through Social Security, Medicaid and other publically funded programs, are often disqualified from those supports if they have more than \$2,000 worth of resource or assets. Now, for the first time, individuals with disabilities and their families will be able to take a step to better secure their financial futures and to help offset the often significant financial challenges that can accompany living with a disability.

The Ohio program focuses on efforts to ensure minimal costs associated with maintaining a STABLE Account. Ohio residents will pay \$2.50 per month (\$30 annually) to maintain their accounts. Residents of other states will pay \$5.00 per month (\$60 annually) to maintain their accounts. Ohio residents will also have a small asset-based fee of between 0.19 percent and 0.34 percent, depending on their chosen investment Options. Similarly, non-Ohio residents will have an asset-based fee of between 0.45 percent and 0.60 percent depending on their chosen investment Options.

While Ohio is currently the only program available in the U.S., soon individuals with disabilities and their families will have other options to choose from as well. Several states, including Nebraska, Florida, Utah and Tennessee should be launching their ABLE account programs in the very near future.

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## **Tennessee Launches Country's Second ABLE Program**

June 14, 2016

The ABLE National Resource Center is excited to congratulate the State of Tennessee on the launch of the country's second ABLE program. ABLE TN (<http://www.abletn.gov>) is a national program, offering enrollment to qualified individuals with disabilities both in Tennessee and throughout the country.

ABLE TN allows qualified individuals with disabilities to save up to \$14,000 a year in an ABLE account without jeopardizing their eligibility for federally-funded means tested benefits, such as Social Security and Medicaid. The funds in the account can be used for disability-related expenses that assist the beneficiary in increasing and/or maintaining his or her health, independence or quality of life.

Millions of individuals with disabilities and their families are often relegated to a life of poverty as a result of not being allowed to build even the most modest levels of resources. Individuals receiving supports through Social Security, Medicaid and other publically-funded programs are often disqualified from those supports if they have more than \$2,000 worth of resources or assets. Now, with the launch of nationwide ABLE programs, individuals with disabilities and their families will be able to take a step to better secure their financial futures and to help offset the often significant challenges that can accompany living with a disability.

ABLE TN focuses on efforts to ensure minimal costs associated with establishing and maintaining an ABLE account. Total annual asset-based fees range from 0 percent to 0.63 percent, depending on the investment selections held within the account. There are no sales or distribution charges or fixed account maintenance fees associated with ABLE TN accounts. The total annual asset-based fee includes the underlying investment expenses and program management fee. The annual

asset-based fee is divided over 12 months and applied to the account balance at the end of each month.

ALBE TN and the Ohio STABLE Account program are currently the only two programs enrolling beneficiaries in the country, and they are doing so only via their online portals. However, we expect several other states, including Nebraska, Florida and Utah, to be launching their ABLE account programs in the very near future. In fact, both Nebraska (a national plan) and Florida (an in-state only plan) are expected to launch prior to July 1st.

For more information on ABLE TN and how to enroll, please visit:

<http://www.abletn.gov>

## **Ohio Launches Country's First ABLE Program**

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In fact, both Nebraska (a national plan) and Florida (an in-state only plan) are expected to launch prior to July 1st.

For more information on the Ohio "STABLE Account" plan and how to enroll, please visit:

<http://www.stableaccount.com>

For more information related to ABLE programs and accounts in general, and for the latest news regarding other state programs, please visit the ABLE National Resource Center at:

<http://www.ablenrc.org>

**Learn more about**  
**Achieving a Better Life Experience**  
**"ABLE" Accounts**



Garden scene

## Words from our Board President...

Our President is busy with summer activities. She will be back in touch in the next edition! Enjoy the flowers, butterflies and birds in the picture at left.

### **Be Prepared for Extreme Heat**

ACL (Administration for Community Living) Blog by Kathleen Vltava - July 7, 2016

As summer is upon us, this is an important reminder regarding planning for and responding to periods of extreme heat. It is a time to prepare yourself and those in your care. Whether you are an older adult, an individual with a disability, or a family member caring for a loved one with functional needs, each person's requirements and abilities are unique. During periods of extreme heat, every individual can take important steps to put plans in place and prepare for potential risks, such as power outages. By evaluating your own personal needs and making an emergency plan, you can be better prepared for any situation.

A commitment to planning today will help you prepare for extreme heat situations. Take actions to include:

- Consider how periods of extreme heat, including risk for potential power outages, might affect your individual needs.
- Plan to help yourself at least for a period of time. It's possible that you will not have access to a medical facility or a pharmacy.
- Identify what kind of resources you use on a daily basis and what you might do if they are limited or not available. For example, make provisions for medications that require refrigeration or plan arrangements for any assistance to get to a cooling center if needed.
- **Build A Kit** with your unique considerations in mind. What do you need to maintain your health, safety, and independence during periods of extreme heat? For example, any specialized items in your kit that you may need such as extra wheelchair batteries, oxygen, catheters, medication, food and water for service animals, and any other items that you might need.
- Plan to check on family, friends, and neighbors who do not have air conditioning, who spend much of their time alone, or who are more likely to be affected by the heat.
- Plan to check on service animals more frequently to ensure that they are not suffering from the heat.

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# Executive Director Notes...



So you're probably wondering, why the musical notes? Is she going to break out in song, or at least reference the words of a song? No! Relax! Music is part

of my life I enjoy in many different ways and genres, but I'm not going to break into song right now.

As I thought of "notes" I thought, "Musical notes display movement and change. They display tempo, mood, intensity." They can calm us - think of a lullaby, or drive us into a frenzy - remember the JAWS theme? So what's that got to do with anything?

With music, the composer creates, the performer interprets and the listener goes away 'hearing' what they do - based on who they are, what they value and their life experiences thus far on their journey. So again you ask, what's that got to do with anything?

I believe our lives - individual and organizational - also display movement and change. Every day, whether we are active or not, change and movement are occurring in our lives. They are impacting us. Sometimes we cause the change to happen. At other times, the movement occurs due to what others have done.

We, the Coalition, are presently setting out on a creative process of sorts. And we need you - our members - to help as we write the "music" for our future!

In the 25 years since the Coalition has become a nonprofit in South Dakota, much has changed in the world around us. Advances have been made that have positively impacted the lives of people with disabilities and their families. These accomplishments have been reached due to many different voices coming together and

working together to make change a reality. Yet our work is not done!

Even though positive steps have been made, and more people with disabilities have greater choices, there are still parts of the disability community which do not have those same opportunities. Their lives do not include increased choices!

Even though things are better, people with disabilities continue to live in poverty at higher levels than people without disabilities. They continue to be unemployed at much higher rates than people without disabilities. Our work is not finished.

Soon you will receive a postcard or note that tells you of a survey we need you to please complete. It will take only a few minutes, yet it holds the potential to reshape the future of our organization for years to come.

We are asking some difficult questions. And we are asking you to take time to tell us the thinking behind your answers. The more you are willing to share with us, the better.

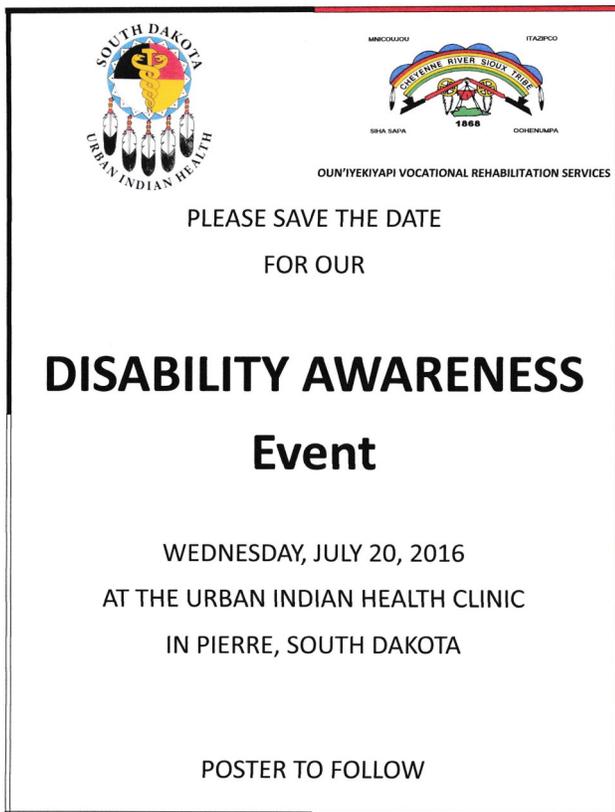
We're seeking to look at the different notes you will provide and begin composing a musical score for the Coalition's future that we believe will carry us closer to our ultimate goal - a day of full inclusion for all people with disabilities.

Some notes may sound familiar, others not. Yet if blended together in the way that honors the dream our founders set out for us, it can only result in something beautiful and lasting - a day when inclusion is reality!

## **Current Individual and Organizational Members!**

Please complete our member survey  
**by July 30th.** Go to:

**<https://www.surveymonkey.com/r/coalitionfuture>**



## Cyberbullying of Twin Cities Boy with Autism

(Minneapolis - WCCO - May 9, 2016)

The mother of a Twin Cities boy with autism was horrified to learn her son was the victim of cyberbullying.

A student snapped a picture of Tristan last week while he used the restroom at Minnetonka High School.

Tristan's mom, Cassidy, hopes this starts a conversation about acceptance.

"By far the happiest kid, always laughing, such a joy," Cassidy said.

Tristan was born with a rare disorder that left him legally blind. He also has autism. The 15-year-old is in the Special Education program at Minnetonka High.

"When Tristan goes off to school, it's that

vulnerability, but I feel like I'm putting him in safe hands," Cassidy said.

She learned a student snapped a full-body picture of the front of her son while he was using the urinal at school, then shared it on social media with a derogatory message.

"It went viral, it was then reposted, and it was devastating," Cassidy said.

She doesn't understand why a student would take advantage of her son's vulnerabilities.

"It's heartbreaking to see my sweet son," Cassidy said. "That's the scariest part as a mom is not being able to protect your children, and then to know something happened to my son and I couldn't protect him, is really hard."

Julie Hertzog, director of Pacer's National Bullying Prevention Center, says kids with disabilities are bullied at three-times the rate of their peers.

Pacer is an organization that strives to enhance the lives of people with disabilities. Hertzog says it is crucial for students to have the courage to speak up.

"Over 60 percent of bullying situations will stop when...a peer intervenes, again, that's incredibly powerful because peers know about situations long before adults do," Hertzog said.

In this case, students stood up for Tristan. They told the student who posted the picture to take it down, and reported the behavior.

"We did talk to one of the students. We told him, "In our book, you're a hero," Cassidy said. "If it wasn't for you, we don't know when this would have been taken down."

Cassidy wants students to realize bullying hurts, and the effects can be long-lasting.

"I want there to be awareness. I want people

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## Cyberbullying of Twin Cities Boy with Autism

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to have the conversation,” Cassidy said. “What I would like to see is more awareness in our schools.”

WCCO has learned the student involved was disciplined. Minnetonka Public Schools released this statement, along with an apology from the student.

“Last week at Minnetonka High School, a student violated another’s privacy by taking a photograph of a special education student in the restroom and posting it on social media. This was a terrible act, and one that is not tolerated in our schools.

The incidence was reported to school administrators who responded immediately and conducted a full investigation. While data privacy laws prohibit the District from releasing specific student discipline records, we can say that the school has a strong code of conduct, discipline policies and a policy that prohibits this specific behavior. Our discipline policy was followed in this incident. The school administration has taken the incident very seriously.

This is an important teachable moment for our entire community. In our society today, social media is too often used to shame, harm or make fun of others. We remain steadfast in our efforts to teach all students to respect the dignity of each individual and promote civility and responsibility in person and online.”

The student who posted the photos shared this statement:

“Every person should be treated with respect and dignity. I regret what happened to this individual, and I hope to learn from this experience. I sincerely apologize for any negative consequences that this individual and

his family may have experienced. It was a thoughtless action on my part. My hope is that other people will learn from my mistake, as I have. In the future, I hope to learn how to treat others with more compassion and kindness.”

## Be Prepared for Extreme Heat

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Resources and tools are available for community-based organizations including the **Extreme Heat Social Media Toolkit**, **Extreme Heat Public Service Announcements**, and the **Extreme Heat Infographic (PDF)**. The **HHS emPOWER Map** features the monthly total of Medicare beneficiaries with electricity dependent equipment claims at the U.S., state, territory, county, and zip code level to identify the areas and populations that may be impacted and at risk for power outages.

The Administration for Community Living (ACL) works with agencies such as Centers for Disease Control and Prevention (CDC), Assistant Secretary for Preparedness and Response (ASPR), and others to help spread the word about extreme heat.

Information about extreme heat preparedness and response can be found at **Ready.gov** for seniors, individuals with access and functional needs, and others.

Join us in being prepared for extreme heat: Be Informed, Make a Plan, Build a Kit, and Get Involved.

**ADA 26th Anniversary**

**July 26th**

**Equal Access and Opportunity for All!**

## OCR Issues Guidance and Resources for Long-Term Care Facilities

The U.S. Department of Health and Human Services' (HHS) Office for Civil Rights (OCR) has issued new guidance to assist long-term care facilities in complying with their civil rights responsibilities and obligations under regulations by the HHS Centers for Medicare and Medicaid Services that require facilities which are Medicare and/or Medicaid-certified to ensure their residents receive services in the most integrated setting appropriate to their needs.

A critical responsibility of long term care facilities is to make referrals to appropriate community assessment agencies. These referrals will help individuals successfully transition into the community.

Under Section 504 of the Rehabilitation Act (Section 504) and the Americans with Disabilities Act (ADA), long term care facilities that receive Federal financial assistance cannot discriminate against individuals based on disability. The U.S. Supreme Court further clarified in its *Olmstead v. L.C.* decision that discrimination includes unnecessary segregation of persons with disabilities and continued placement in an inpatient facility when the resident could live in a more integrated setting.

In order to assess placement needs among residents, CMS regulations mandate that long term care facilities routinely administer the Minimum Data Set (MDS), a standardized assessment tool for all residents in a Medicare and/or Medicaid-certified long term care facility. Through analysis of the MDS data and collecting information from a large sample of facilities, OCR has found many long term care facilities are misinterpreting the requirements of the MDS or inadequately administering the MDS. In particular, long term care facilities are not referring residents who are interested in living in the community to appropriate referral

referral sources.

This new guidance provides a series of recommendations for steps that long term care facilities can take to ensure the MDS is properly used to facilitate compliance with Section 504 and to avoid discrimination practices towards residents.

To learn more about non-discrimination and health information privacy laws, your civil rights, and privacy rights in health care and human service settings, and to find information on filing a complaint, visit the HHS Office of Civil Rights at [www.hhs.gov/ocr](http://www.hhs.gov/ocr).

(Information provided by the Administration for Community Living on June 28, 2016)

### Upcoming Happenings

#### July 11th

Community Justice & Mental Illness Task Force - Rapid City

#### July 14th

ADA Anniversary Celebration - Watertown

#### July 22nd

ADA Anniversary Celebration Picnic - Rapid City

#### July 26th

ADA Anniversary Celebration Picnic - Yankton

#### August 17th

SD Network Against Family Violence and Sexual Assault Annual Meeting - Sioux Falls

#### August 18th

Community Justice & Mental Illness Task Force - Ft. Pierre

#### August 29th and 30th

SD Advocates for Change - Ft. Pierre

#### August 31st

Coalition Board Meeting - Oacoma

## National Disability Voter Registration Week

**July 11 - 15, 2016**

**Are you registered? If not - Get Registered! Your Vote Matters!**



### Help at the Pump

Are you an individual with a disability and can not pump your gas? Do you worry how you will make it to your destination if someone can't help? The South Dakota Department of Human Services has created a list of gas stations in the state that are accessible to those individuals with disabilities and where they are located. To learn more go to:

[dhs.sd.gov/Pump My Ride.html](http://dhs.sd.gov/Pump My Ride.html)



This publication is the official publication of the Coalition (South Dakota Coalition of Citizens with Disabilities). We welcome letters, manuscripts, news items, articles and other items of interest, which will be considered for possible publication within future editions. This publication is mailed, electronically or in hard copy, to all Coalition members and other interested parties, as well as located on our website at [www.sd-ccd.org](http://www.sd-ccd.org).

Many of the articles in this publication are reprinted from other sources, as a way to share with our readers an example of the information being presented to leaders and other members of the general public locally and nationwide. The opinions expressed in these articles do not necessarily represent the opinion of the Coalition - its membership, board or staff. Its appearance in this publication does not constitute the Coalition's position in regard to any issue or item, unless expressly stated as such.

The Coalition is a strong supporter of "People First" language and supports its use in written and spoken communication. Some of the articles used in this publication may contain language that is not consistent with the "People First" concept. The language used by authors of articles that are not consistent with "People First" language is not a reflection of the Coalition's preference.



SOUTH DAKOTA  
**COALITION**  
OF CITIZENS WITH DISABILITIES

**Join with others to work towards equal  
opportunity for all!**

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**City:** \_\_\_\_\_ **State:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

\_\_\_\_\_ **New**

\_\_\_\_\_ **Renewal**

\_\_\_\_\_ **Individual -  
Annual Membership - \$20**

\_\_\_\_\_ **Organizational - \$100  
Annual Membership - \$100**

\_\_\_\_\_ **Donation - \$ \_\_\_\_\_**



**Physical presence  
does NOT equal  
inclusion!**