

# The Arc Appeal

A Publication of Mid-South Arc  
Empowering People with Developmental Disabilities to Achieve their Full Potential



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### Up Coming Events

Weekend Retreats / Summer Camps

(Details on page 8)

**June 3-5**

TN Disability Mega Conference

**July 26**

14th anniversary of the signing of  
ADA law

**October 14**

Annual Dialogue

**November 9**

Annual Benefit & Awards Gala

## Arc Celebrates March Madness 2004

Mid-South Arc celebrated National Disabilities Awareness Month with "March Madness." The celebration builds community support through advocacy, workshops and fundraisers. Mid-South Arc partnered with individuals, parents, agencies, and government officials in raising public awareness about the issue of developmental disabilities.

The *No Child Left Behind Conference* held on March 4th featured a discussion of the *No Child Left Behind Act (NCLB) and Its Impact on IDEA*. Speakers from federal, state, and local government participated. Parents and educators voiced their concerns about how this law will affect children with disabilities. Carlene Leaper, Arc Executive Director, ended the conference by challenging participants to assist in creating awareness of the lack of funding for services for individuals with disabilities. Leaper reminded the audience that "thousands of graduates with special needs will be left behind while waiting for state funds".

A few days later Mid-South Arc voiced its concerns to legislators during Legislative Awareness Day.

Consumers, staff, and families went to Nashville on March 10 to discuss the need for increased funding and support to individuals with developmental disabilities. Legislators also learned that no lottery scholarships had been earmarked for students with special needs and disabilities.

A *Three Day Readiness Workshop* for students leaving high school was also held as a part of March Madness. "Visions to Victories" included two days of job readiness training and one day for touring local businesses. The focus of the workshop was to provide students leaving high school with interviewing techniques, communication skills, job application skills, proper dress and grooming, time management and social skills.

## Memphis' Finest Wheels In Top Prize at Jamboree

Mid-South Arc finished March Madness with its annual Wheelchair Basketball Tournament. It was the best year ever for this tournament with ten teams competing for the coveted trophy. Teams from the Memphis Fire and Police Departments, Sheriff's Department, Neil's Restaurant, School Trans, Hershey's Memphis and MSA's Ramblers played for the opportunity to take on the Memphis Rollin' Grizzlies. It was a very spirited contest and all of the contestants, as well as the audience, had a great time. Congratulations to the Memphis Tact Unit on another stunning victory!



## Search For Fair Housing End

An article from the Jackson Sun News

*Continued on page 3*

St. John's, a nonprofit provider of services to people with developmental disabilities, alleged in its April 2003 suit that the association and five of its members prevented St. John's from aiding and encouraging the three women in exercising their right to fair and equal housing.

The women had been under the care of the Arlington Developmental Center near Memphis, but downsizing at the center prompted the move and it seemed a logical one given their families live in and around Jackson. Yet in October 2002, just a day before the women were to move into the home, the neighborhood association gained a temporary restraining order after it argued that the home would violate the neighborhood's covenant restrictions about single-family residences. The restraining order was eventually dismissed, and the women moved in by Thanksgiving of that year.

## Fact Sheet about Waiting List Case Settlements

1. The Federal District Court Judge has provided tentative approval of settlements in the two class action lawsuits. A hearing to determine the fairness of the proposed Settlement Agreements was held on April 12, 2004 at 1:30 p.m. in the Courtroom of Judge Echols at 801 Broadway, Federal Building, Nashville, TN.
2. If a person wants a copy of the settlements, he can contact our office and we will send a copy.
3. People do not have to do anything. They do not need to file any comments or make any objections if they do not want to. They did not have to be in Court on April 12.
4. **SUMMARY OF SETTLEMENT IN PEOPLE FIRST LAWSUIT:**
  - Requires outreach and education to persons who are potentially eligible for community based waiver services.
  - Requires the State to assess needs of eligible persons and plan for necessary services.
  - Removes prohibition in State interagency agreement that prevented the provision of waiver services to school age person.
5. **SUMMARY OF SETTLEMENT IN BROWN (TP & A CASE) LAWSUIT:**

Provides for enrollment of up to 600 persons in a Self Determination Waiver during 2004-2005. The waiver has an annual budget cap of \$30,000 for an enrollee.

  - Provides for enrollment for an additional 900 persons in the Self Determination Waiver during 2005-2006.
  - If enrollment does not begin in Self-Determination Waiver by July, 2004, provides that State will pay \$500,000 per month in services for each month until enrollment begins.
  - Provides for enrollment of approximately 200 new enrollees in the existing Home and Community Based Waiver in 2004-2005.
  - Provides for enrollment of approximately 200 new enrollees in the existing Home and Community Based Waiver in 2005-2006.
  - For those on waiting list who are eligible for enrollment in the waiver, but are waiting and not receiving services under the Family Support program, the State will provide up to \$2,280 in a Consumer Directed Support Program on an annual basis per person, with a maximum annual expenditure under this program at \$5 million. These services may be respite services, transportation, etc.
  - Provides targeted case management for those on waiting lists that are eligible for waiver services but are waiting to be enrolled. Case manager will assist in accessing other services and plan for enrollment in waiver.
  - Provides for planning by parties for additional necessary services for persons eligible for waiver services who are on the waiting list until December, 2009.
6. **WHAT PEOPLE SHOULD DO:**
  - IF THE PERSON IS ALREADY ON THE WAITING LIST, PERSON SHOULD MAKE CONTACT WITH DMRS REGIONAL OFFICE AND BEGIN PROCESS TO SEE IF ELIGIBLE FOR ICF/MR WAIVER SERVICES.
  - IF PERSON IS ALREADY ON THE WAITING LIST, PERSON MAY WANT TO ALSO MAKE CONTACT WITH DMRS REGIONAL OFFICE TO RE- ASSESS THEIR CATEGORY OF NEED. THIS IS IMPORTANT ESPECIALLY FOR THOSE IN THE “DEFERRED” CATEGORY BECAUSE PEOPLE IN “DEFERRED” WILL NOT RECEIVE CONSUMER DIRECTED SUPPORT.
  - IF PERSON IS NOT ON WAITING LIST, PERSON SHOULD CONTACT DMRS REGIONAL OFFICE TO BE PLACED ON WAITING LIST AND BEGIN PROCESS TO SEE IF ELIGIBLE FOR ICF/MR WAIVER SERVICES.

## Hearing on MiCASSA and Money Follows the Person Act

The Senate Finance Committee, chaired by Sen. Charles Grassley (R-IA), held a hearing on "Strategies to Improve Access to Medicaid and Community-Based Services." The lead witness, Senator Tom Harkin (D-IA), urged support for the Money Follows the Person Act of 2003 (S. 1394) which would establish a \$1.75 billion Medicaid demonstration project to encourage a rebalancing of the institutional basis in Medicaid by enabling the federal government to fully reimburse the states for one year of Medicaid services for individuals who move from institutions into the community and the Medicaid Community-Based Attendant Services and Supports Act of 2003 (MiCASSA, S. 971).

Other witnesses included Dennis Smith, Acting Administrator, Centers for Medicare and Medicaid Services, who outlined the Administration's New Freedom Initiative proposals, Carol Novak, a member of the National Council on Disability, Jan Moss, the mother of two children with significant disabilities who focused on the need for respite care, Di Findley, Executive Director Iowa Caregivers Association, who focused on the direct care worker crisis, Ray Gerke, who has cerebral palsy and serves on the Iowa-Olmsted Real Choices Task Force and Bruce Darling, Executive Director, Disability Rights in Rochester, New York. Grassroots support for improvements in Medicaid home and community-based services was evident in the crowd of people attempting to gain access the hearing room. With the hearing room packed to standing room only, the Committee also used an overflow hearing room where approximately 300 observers could see and hear the proceedings.

*Source: Washington Watch, April 12, 2004*

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## Search For Fair Housing Ends.....Continued from page 1

In suing under the Fair Housing Act and the Tennessee Human Rights Act, St. John's Community Services-Tennessee - which cares for Sellars' sister and the two other women at the home - won a \$20,000 settlement against the Bethany Area Neighborhood Association of Jackson in court papers signed Jan. 20 in U.S. District Court.

None of the three women or their families were part of St. John's suit, but Sellars hopes the outcome serves as a precedent. St. John's president, John Wilds, called it a major victory, and Marie Williams, the director of planning and housing at the state Department of Mental Health and Disabilities, agreed. "If you are able to live in a community, no one should restrict the access," Williams said. "This is a huge win for everyone." The thing is, assisted living homes for individuals with mental retardation, mental illness and those with disabilities have become a popular alternative to institutions, but they haven't been wholeheartedly welcomed by neighborhoods nationwide. The state began licensing such homes in 1995, and there are 212 supported living facilities in the state,

### What to know

- The Bethany Area Neighborhood Association and five of its members were ordered to pay \$20,000 and write a letter of apology to St. John's Community Services-Tennessee, a nonprofit provider of services to people with developmental disabilities, according to a civil case decision on Jan. 20 in U.S. District Court of Jackson.
- In November 2002, the neighborhood sought and won a temporary restraining order to prevent St. John's from using a Northland Drive home as a supported living home that would house and support three women in their 40s, all with cerebral palsy. The women eventually moved in by Thanksgiving of that year.
- In filing its suit in April 2003, St. John's said the association was in violation of the federal Fair Housing Act and the Tennessee Human Rights Act.

## Parents' Night Out Offers Respite For Caregivers

*A Ministry of the Highland St. Church of Christ*

**Mission:** To serve the families of children with special needs by providing periodic respite for parents and a safe and fun environment for special needs children and their siblings.

PNO is offered the first and third Friday evenings of each month except on holiday weekends. Each shift is supervised by someone with a special ed and/or nursing background. It is staffed primarily by volunteer members of the church who are committed to serving families in our community. The program is free but reservations are required due to staffing considerations. Call 458-3335 for reservations. Please call by 3 pm Wednesday. First time families should call Gary McCormack at 458-9167 or 385-8227 prior to making reservations.

## Tennessee Respite Coalition Memphis Respite Voucher Program (MRVP)

**Family caregivers are often exhausted by the day-to-day demands of providing care**

### What is Respite?

Respite is a break. As defined by the MRVP it is temporary relief given to Parents/Caregivers of a child with Serious Emotional Disturbances (SED) or Developmental Disabilities (DD).

### How can the Memphis Respite Voucher Program help you?

It provides funding to enable caregivers to pay for respite services.

Each month the family is eligible for a voucher of up to \$100 to pay for the services of a respite care provider of the family's choice.

### Who is eligible to receive this Voucher?

Families in Shelby County that have:

- a child under 18 with a primary diagnosis of Serious Emotional Disturbance or Developmental Disability
- a combined income of \$40,000 or less per year

For an application or for more information contact Memphis Respite Voucher Program at:

St. Patrick's Center, 277 S. Fourth Street Memphis, TN 38126 (901) 522-0090 TRCMemphis@aol.com

The Memphis Respite Voucher Program is a program of the Tennessee Respite Coalition and is funded by the Tennessee Department of Mental Health and Developmental Disabilities.

## Division of Mental Retardation Services

### AVAILABLE SERVICES AND SUPPORTS

The DMRS service delivery system offers State Funded Long Term Supports and Services that are included in the Medicaid Waiver Home and Community Based (HCBS) Services program. The Medicaid Waiver Program is administered in conjunction with the Bureau of TennCare, Division of Long Term Care. Additionally, the DMRS coordinates early intervention services and a grant funded Family Support Program. For additional information on the supports and services available go to:

[http://www.state.tn.us/mental/mrs/mhmr\\_serv.html](http://www.state.tn.us/mental/mrs/mhmr_serv.html)

[http://www.state.tn.us/mental/mrs/  
FamGuideMedicaidWaiverSrv.pdf](http://www.state.tn.us/mental/mrs/FamGuideMedicaidWaiverSrv.pdf)

<http://www.state.tn.us/mental/mrs/accessing.html>

[http://www.state.tn.us/mental/mrs/w\\_web.pdf](http://www.state.tn.us/mental/mrs/w_web.pdf) (schedule of free training classes)

**DMR Application for Services** in pdf format available on <http://www.state.tn.us/mental/mrs/docs/dmrsapp.pdf>

### Medicaid Waiver Eligibility

When an individual needs services immediately, a crisis exception to the moratorium on the Home and Community Based Services Waiver for individuals with mental retardation and Developmentally disabilities may be approved for any of the

following reasons:

- I. Homelessness of the individual:
  - a. The individual is currently homeless; or
  - b. The individual will be homeless within 30 days (supporting documentation required); or
- II. Death, incapacitation, or loss of the primary caregiver and lack of an alternate primary caregiver:
  - a. The primary caretaker died; or
  - b. The primary caretaker became mentally or physically incapacitated (permanently or expected to last more than 30 days); or
  - c. The primary caregiver serves as the primary caregiver for one or more other individuals with serious mental, physical, or developmental disabilities and is unable to provide an acceptable level of care for the enrollee; or
  - d. The primary caregiver must be employed to provide the sole or primary income for the support of the family; or
- III. Serious and imminent danger of harm to self or to others by the individual:
  - a. The individual's current pattern of behavior posed serious and imminent danger of self-harm which cannot be reasonably and adequately managed by the primary caregiver; or
  - b. The individual's current pattern of behavior poses a serious and imminent danger of harm to others which cannot be reasonably and adequately managed by the primary caregiver.

## Special Thanks

*Mid-South Arc would like to thank the following volunteers, donors, sponsors and participants for the success of "Arc March Madness 2004".*

### Volunteers

Viola Burton  
 Margaret Hurd  
 Beverly Mathews  
 Calvin Reid  
 Brenda Farley  
 Susan Kime  
 Connie Booker  
 Corrine Derenburger  
 Pamela Martin Alexis  
 St. Jude Research Hospital  
 Embassy Suites  
 UPS

### Donors

Baptist Home Medical  
 Equipment  
 Krispy Kreme Doughnuts  
 Pepsi America  
 Hardin Sysco  
 Frito Lay  
 Camille Dolan  
 Dixie Meat Company  
 Wal-Mart  
 Papa John's - Summer Ave  
 Lenny's  
 Subway - Highland  
 Exline Best Pizza-  
 Mendenhall  
 Functional Independence  
 LDA of Greater Memphis  
 Delores Voigt  
 Coors Brewing

### Speakers for Career Development Workshop

Maria Black - Fox13 News  
 Catrina Bulloch - Department of Children's Services  
 Christine Lloyd - Memphis City Schools - DEC  
 Leah Gardner - Memphis Works  
 Earnest Townes - ACAR  
 Bobbie Hopson - Design - A - Job  
 Calvin Harris - Tri-State Placement  
 Brenda Vanderpool - RISE  
 Annyce Luckett - Division of Rehabilitation Services  
 Rosalind Able - St. Francis Hospital  
 Shirley Flowers - Memphis City Schools  
 Faye St. John - Memphis City Schools - DEC  
 Natasha David - Editorial Solutions  
 Brady Tanner - Lowenstein House  
 Regina Braswell - Communicare  
 Barbara Cooper - Marshall County Schools

### 2004 Wheel Chair Basketball

#### Teams

Neil's  
 Memphis Fire Department  
 Original MPD TACT Team #1  
 MPD TACT Team #2  
 Memphis Police Department  
 Shelby County Sheriff Department  
 Memphis Rollin Grizzlies  
 Hershey Chocolate Company  
 SchoolTrans



### **Celebrating March Madness!**

Thanks to  
 SchoolTrans for sponsoring this event!

# TENNESSEE DISABILITY MEGA CONFERENCE

## WHAT IS THE MEGA CONFERENCE?

A coalition of more than 50 disability related organizations in Tennessee have come together again to host the second annual statewide Disability Mega Conference. Our shared purpose in creating this conference is to strengthen our bonds and promote understanding as we move forward together, united in our desire for independence, choice and dignity for all people.

## WHAT TOPIC AREAS WILL THE CONFERENCE ADDRESS?

**Access** (to services, programs, buildings and the physical environment)

**Assistive Technology** (augmentatives/alternative communication, computers and software, environmental controls, adaptive equipment, seating and mobility)

**Education** (early intervention, preschool, elementary, secondary, higher education, and adult skills training)

**Employment** (services, programs, strategies, self employment, competitive and supportive)

**Housing** (home ownership options, rental options, affordability and accessibility)

**Recreation and Leisure** (athletics, exercise, social activities and events)

**System Change** (grassroots organizing, legislative affairs, group advocacy)

## WHERE IS THE MEGA CONFERENCE BEING HELD?

Nashville Marriott Hotel  
600 Marriott Drive,  
off Briley Parkway and Elm Hill Pike  
Nashville, Tennessee

## WHEN IS THE MEGA CONFERENCE?

Thursday, June 3, 2004 through Sunday morning, June 6, 2004 (Pre-conference day Wednesday, June 2, 2004)

## WHO SHOULD ATTEND THIS CONFERENCE?

Persons with disabilities, family members, professionals in related fields, teachers, therapists, service providers, direct support professionals and interested citizens (Respite care is available)



## HOW DO I SIGN UP TO ATTEND?

Simply fill out the registration form and mail it today. Master Card and VISA credit cards are accepted. To print additional registration forms or for more information, visit [www.tndisabilitymegaconference.org](http://www.tndisabilitymegaconference.org).

## WHAT IF I WANT TO ATTEND BUT DO NOT HAVE ENOUGH MONEY?

If you are in need of financial aid, scholarships are available. To apply for a scholarship, complete section 2 ( Stipend Request) of the registration form.

## SUMMER CAMPS 2004

Camp Name / Location	When / Contact / Phone	Camp Name / Location	When / Contact / Phone
Center for Therapeutic Taekwondo Cordova, TN	Year Round Leave Message 309-1200	Tops Soccer Suggs Park Collierville, TN	Saturdays: September – October Pam Hipp, 853-5917
Hippotherapy Early Intervention	One Day a Week, September – May Ashley Parks, U.C.P. 761-4277	Six50 Athletic Club Bellevue Angels/swimming	Tuesdays: September – April Carlene Krebs, Special Olympics 758-0378
Camp “Livitup”	June 7 – July 30 / Sherry Shearer or Ashley Parks U.C.P. 761-4277	Red Cross Water Safety and Swimming Lessons	Registration begins April 15; classes start early June Brenda Farley 756-8026
Special Cargo Therapeutic Horseback Riding	1 Day a Week Ashley Parks U.C.P. 761-4277	Central Church Day Camp	June 4th – August 10th Bubba Bellate 365-4673
Camp Celebration Shelby Forest	May 31 – June 6 Leave Message 527-2267	Camp Adventure Day Camp Summer Ave at Putt Putt	June – Aug. Gene Marshall 323- 4505
Camp Smile Collierville, TN	June 7 thru July 1 July 6 thru July 30 Tammy Townsend 853-3225	Memphis Zoo	May 31 – August 6 Edzoocation Dept. 333-6759
Fitness Club World Overcomers Ministries Social/Sports Program	Thursdays, September – May Lilly Kingsley Special Olympics 521-7110	Memphis Botanic Garden Caterpillar Club	June 7 thru 11, July 5 thru 8 Education Dept. 685-1566 x. 128
Challenger Little League Collierville, TN T-ball and baseball	Sat. April 17 – June 5 Tammy Townsend 853-3225	Memphis Botanic Garden Kids Quest Adventure	July 19 thru 23, July 26- 30 Education Dept. 685-1566 x. 128
Lakeshore United Methodist Assembly Near Camden, TN	June 14 – 18 <a href="http://www.lakeshoreuma.com">www.lakeshoreuma.com</a> Martha Holifield 584-6102	Memphis Botanic Garden Good Earth Camp	June 14 -17, June 21 -24 Education Dept. 685-1566 x. 128
Spirit Basketball Collierville, TN	8 weeks: February - March Cheryl Palmer 756-0400	Easter Seals Camp Mt. Juliet, TN	June 13 – 18 Leave Message 615-444-2829
Cordova Bowling League	Mondays: September – May David Ross 795-9067	Easter Seals Camp for Physical Disabilities	June 27 – July 2 Leave Message 615-444-2829
Easter Seals Camp	July 4 – 9 Leave Message 615-444-2829		



## Weekend Retreats and Summer Camps Volunteers Needed!

Mid-South Arc is currently looking for volunteers to assist individuals during the weekend retreats and summer camps.

**The dates and locations are as follows:**

### Weekend Retreats

May 14-16, 2004	Brigadoon Farms
Aug. 20-22, 2004	Raymond Skinner Center
Sept. 24-26, 2004	Wall Doxey State Park
Oct. 22-24, 2004	Wall Doxey State Park
Nov. 19-21, 2004	Raymond Skinner Center
Dec. 17-19, 2004	Raymond Skinner Center

### Summer Camps

June 13-19, 2004	John W. Kyle State Park
July 25-31, 2004	John W. Kyle State Park

## Program Seeks More Jobs For Arc Clients

Throughout the month of March, Mid-South Arc was constantly updating the Career Development and Job Readiness Program. The month began with the addition of the new Career Development Director Everett George who has proven to be a welcome addition to the staff.

New topics and exercises have been added to The Career Development Class. Intensive work skills training is offered at the Anointed Temple of Praise site and a higher level of performance is being asked of each student. Four new students enrolled in April. The staff has developed relationships with many Memphis businesses to create jobs for clients. Currently, over 10 businesses are working with the staff to create opportunities. The program received its Letter of Understanding from the Department of Rehabilitation Services to provide Job Placement for more individuals with developmental disabilities. For enrollment information, call Everett George or Chris Jowers at 327-2473.

## Mark your Calendar!

July 26, 2004 Mid-South Arc will celebrate the fourteenth anniversary of the signing of ADA law. Please mark your calendar for this important date and watch for details to come.



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*“Empowering people with developmental disabilities to achieve their full potential”*