



Topeka Independent Living Resource Center

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Testimony on ERO 41
to the
Senate Committee on Ways and Means
Carolyn McGinn, Chair

Presented by:
Mike Oxford, Executive Director

The Topeka Independent Living Resource Center (TILRC) is a civil and human rights organization whose mission is to advocate for justice, equality and essential services for a fully integrated and accessible society for all people with disabilities. TILRC is a federally funded and acknowledged Center for Independent Living (CIL) and is staffed, managed and controlled by people with a variety of significant disabilities. TILRC provides direct services, including Home and Community Based Services (HCBS), as well as individual and policy advocacy services. TILRC is cross-age; cross-disability. We have provided services and advocacy without regard to age or type of disability for over thirty years.

I appreciate the opportunity to provide input to the committee today about this incredibly important topic. The state agencies that administer programs for people with disabilities in our state are critically important partners in the delivery of services and supports that are part and parcel of the promise of years of federal civil rights legislation to allow people with disabilities equal access to and enjoyment of the rights and privileges of full citizenship. As this body considers the administrative re-alignment of disability services in our state, we would again encourage this body to consider the broader implications such moves may have on the liberties, rights and freedoms of people with disabilities in our state.

Through the years, our agency has talked to this body about the role of the United States Supreme Court's Olmstead decision as it relates to the support of home and community based programs as an alternative to institutionalization for people with disabilities. The State of Kansas does not have a specific Olmstead plan; as we have testified across the past two years, state budget demands have threatened the integrity of the historical service delivery system that created *de facto* compliance with the Olmstead decision. As the new agency will be assuming responsibility for both sides of the service delivery system, institutional and community-based, it will be important for the state to establish a renewed commitment to the support of community integration. Combining like programs into a single administrative body seems like a reasonable step to take in order to increase efficiency and avoid unnecessary bureaucratic duplication of effort, decrease communication barriers and so on. This could be a first important step toward really identifying and eliminating unnecessary "silos"; whether bureaucratic, programmatic or fiscal. The ERO speaks about including the disability population and specifically, the HCBS Waivers. While this will include a large segment of the disability population that uses public services, a large segment appears missing; Vocational Rehabilitation (VR) and Centers for Independent Living (CILs).

Advocacy and services provided by and for people with disabilities.

Senate Ways and Means

Date: 02-15-2012

Attachment: 10

Should re-alignment of disability services and supports move forward, we would encourage this body and the administration to make very conscious decisions about how all services and supports for people with disabilities will be coordinated, either within the new agency or between the agencies.

Another concern we have expressed across the past several years has been the toll that State budget cuts and administrative reductions have had on the efficacy and integrity of administration and oversight for these critically important service and support programs. Under current staffing, it appears that state staff may have been reduced down to a level that oversight, data collection, monitoring and enforcement have been hindered. The importance of the need for data collection, reporting and adequate oversight and the critical need for planning cannot be overstated. It has been well documented for over a decade that demand is going to grow substantially over the next thirty to forty years due to the aging of America and given the correlation between age and increasing disability; disability and need for assistance. As additional service reductions are implemented in an attempt to contain program costs, accompanying regulations and policy memorandum are not generated in a contemporaneous manner. As workloads have increased and administrative support for programs has been reduced, the ability of program managers and quality assurance staff to monitor utilization and quality has suffered. Wherever these programs eventually land, we continue to encourage this body to closely evaluate whether the agency has been given adequate resources to effectively manage and oversee the programs within their scope.

We have been encouraged by the Administration's policy initiatives and engagement across the past few months. Topeka Independent Living Resource Center is very supportive of the Administration's willingness to reconsider the name of the agency from its first proposal. It makes perfect sense to include the largest population to be administered within the name of the new Administration. The Secretary has made a concerted effort to visit Centers for Independent Living and other community-based service providers to establish relationships and meet potential constituencies. Additionally, the agency has offered an opportunity to promote community integration through targeted projects that may offer new and better ways to offer choice and freedom to people currently receiving services and supports in the more expensive institutional settings.

Thank you again for the opportunity to present our perspectives and share our thoughts on how the State of Kansas can best administer programs to support and serve people with disabilities in our State. However the state configures their administration of these programs, we look forward to continuing our decades of collaborative work promoting access, freedom, choice and integration for a fully integrated and accessible society for all people with disabilities.