

**PARENTS ASSOCIATION  
BELLEFONTAINE HABILITATION CENTER  
10695 BELLEFONTAINE ROAD  
ST. LOUIS, MO 63137**

PHONE 314-264-9100 BHC Switchboard  
PHONE 314-340-6002 Thrift Shop  
WEBSITE [www.parentsassociationbhc.com](http://www.parentsassociationbhc.com)



**NEWSLETTER AUGUST 2018**

PARENTS ASSOCIATION MEETING  
SUNDAY, AUGUST 12 2:00 p.m.  
Administration Bldg. Room #10

All Parent Association members, friends and staff are invited. Keep up with the latest news about Bellefontaine Habilitation Center. Bring your talents and expertise for our advocacy efforts. With everyone's involvement, the lives of the residents at BHC will be the best possible. All are encouraged to stay informed and take some action. Attend a parents meeting, talk with other families, share your concerns and ideas, write a letter, or make a phone call to help provide a safe, healthy, and supportive environment for the residents of BHC and others. They have no voice but ours, so we must continually speak up for them. Refreshments served.

**UPCOMING PARENT MEETING: AUGUST 12, 2018**

**2:00 P.M. IN THE ADMINISTRATION BLDG. ROOM #10**

**2018 PARENT ASSOCIATION MEETING DATES: MARK YOUR CALENDARS!!**

**AUGUST 12**

**NOVEMBER 11**

\*\*\*\*\*

**The switchboard phone number** for Bellefontaine Habilitation Center is 314-264-9100 or 314-264-9101.

**Our Parent Newsletter is online** at [www.ParentsAssociationBHC.com](http://www.ParentsAssociationBHC.com). Pass it along to friends, family, and political leaders.

**Installation of a new floor** in the gym has been completed.

**Federal Surveyors for Title 19 Medicaid funding** were on campus the first week of June. There were no major violations of the 8 Conditions of Participation.

**The daily work of all BHC employees** is much appreciated.

**Senate Bill 806/House Bill 1553, revising Missouri guardianship laws** was passed by the legislature and signed into law on June 1, 2018.

**The 2018 Missouri Legislative Session** began on January 3 and ended on May 18, 2018. Education of all legislators is an ongoing necessity as part of our advocacy for intellectually disabled residents living in habilitation centers. Get to know your legislators. Invite them to visit a habilitation center. To find your legislators, call the Missouri Capitol Switchboard at 1-573-751-2000 or go to [www.mo.gov](http://www.mo.gov).

**The 2018 VOR Annual Conference and Congressional Visits** was attended by Mary and Steve Vitale on June 8 – June 13.

**Attend the upcoming Parent Assn. meeting** to help keep habilitation centers good homes for our family members.

**Keep informed. Take action.** Mary A. Vitale, President, Bellefontaine Parents Association

**TRIBUTE FUND**

Celebrate a birthday or anniversary, offer get well wishes or congratulations, remember a loved one by sending in a tribute - support the residents at Bellefontaine Habilitation Center. A few examples of the use of funds are: annual picnic, Christmas gifts and decorations, birthday cakes and presents, holiday decorations, treats and dances, household items, and special programs. The tribute form is on the last page of the newsletter.

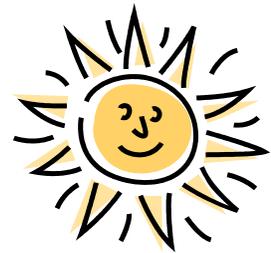
<b><u>DONOR</u></b>	<b><u>RECIPIENT</u></b>	<b><u>OCCASION</u></b>
Betty Coll	Natale Lucido	In memory of Rose Lucido
Joe Gorczyca		In honor of Billy Gorczyca
Linda Hedrick		Donation
Karen Kearney	Lee & Jackie Kearney	In memory of Mary Ann Kearney
Tim Murphy	Ruel Murphy	In memory of Page Murphy
Mickey Slawson	Izella Moore	In memory of Richard Moore
Steve & Mary Vitale	Natale Lucido	In memory of Rose Lucido

**Sincere sympathy** goes to the entire Lucido family upon the death of Rose Lucido, wife of board member Natale Lucido.



**FUNDS APPROVED BY PARENTS ASSOCIATION BOARD**

- \$ 8500.00 BHC Annual Picnic
- \$ 1852.50 Birthday cakes for residents
- \$ 1160.00 Birthday gifts
- \$ 200.00 Household goods, Home 1605
- \$ 105.00 Household goods, Home 1607



THANKS TO THE BIG HEARTS AND HARD WORK OF THE VOLUNTEERS  
AT THE HIDDEN TREASURE THRIFT SHOP,

AND THANKS TO THOSE WHO DONATE FUNDS.

ALL PROCEEDS GOES TO BENEFIT BHC RESIDENTS.

+++++

**BHC PICNIC – SEPTEMBER 13, 2018**

Theme: Star Wars

Date: September 13<sup>th</sup>

Time: 10:30 am Parade  
11:00 am Home for lunch  
1:00 – 4:00 pm Picnic in the gym



**MAY THE FORCE BE WITH YOU**

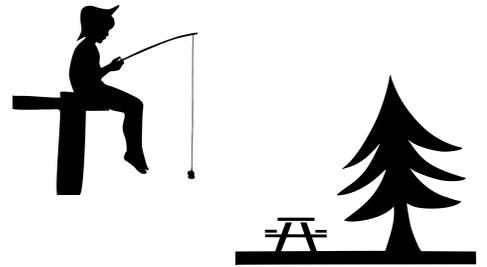
The picnic is limited to parents, guardians, residents and current staff members.

**BHC RESIDENTS ENJOY ACTIVITIES/SPRING AND SUMMER**

In addition to daily BHC campus programming, residents at BHC have taken part in a wide variety of fun opportunities during the Spring and Summer months.

**On campus activities:**

Movie nights, Bingo, Open Gym, Dances, Dept. of Conservation fishing



**Off campus activities:**

WWE at Scott Trade Center, Cardinal baseball game, Special Olympics Track, Olivette Bowl, SLAARC Dance, Home visits, Great Clips, Queen Ann Park, River walk in St. Charles, Barber Shop, Jack of All Trades, Set It Off, DOC Fishing, Quik Trip, Kay Jewelry, Spanish Lake Park, Fox Theater, Downtown Park, OSOS St. Louis, Cash America

Out to eat: Culver's, Red Lobster, Fish & Chicken, Raising Canes, Hooter's, Subway, Las Fuentes, Bandana's, Applebee's, IHOP, Burger King, Dairy Queen, Fazoli's, White Castles, China King, Cracker Barrel, Pasta House, Golden Corral, Firehouse Subs, Pirron's Pizza, Fitz's, Steak N Shake, Crown Candy, Sonic, Andy's, Five Guys Burgers and Fries, Rice House, Smoothie King, Churches, Chinese Food Place, Hometown Buffet, Cici's Pizza, Baskin Robbins, Wendy's, Imo's, Penn. Station, Smokey O's, Sonja's Soul Food, Pakka's B's New Orleans, McDonald's, Olive Garden, Rally's, Ted Drews, 54<sup>th</sup> Street Grill

Shopping: Walmart, Kmart, Dollar Tree, Gas station, Game Stop, Beauty Supply, Mid Rivers Mall, V-Stock, Family Dollar, Aldi's, Shop N Save, Galleria, Shoe Carnival, K&G, Michaels, Mall walking at Mills Mall, St. Louis Steak House, Five Below, Target, Dirt Cheap, Marshalls, Dollar General, Flea Market, Ross, Payless, Citi Trends

++++  
++++

**FEDERAL SURVEY AT BHC IN JUNE**

Federal surveyors for the Title 19 of the federal Medicaid law were on the BHC campus the first week of June.

The surveyors are guided by the manual entitled "State Operations Manual, Appendix J - Guidance to Surveyors: Intermediate Care Facilities for Individuals with Intellectual Disabilities".

[www.cms.gov/Regulations-and-Guidance/Guidance/Manuals/downloads/som107ap\\_j\\_intermcare.pdf](http://www.cms.gov/Regulations-and-Guidance/Guidance/Manuals/downloads/som107ap_j_intermcare.pdf)

These annual federal surveys of habilitation centers must meet 8 Conditions of Participation: (CoPs) to retain funding from Medicaid.

There are currently 489 criteria under the 8 Conditions of Participation as listed below:

1. Management
2. Client Protections
3. Facility Staffing
4. Active Treatment
5. Client Behavior and Facility Practices
6. Health Care Services
7. Physical Environment
8. Dietetic Services



No major violations of these 8 Conditions of Participation were found during the survey.

These requirements give our family members a high level of services and oversight.

**MISSOURI LEGISLATION – GUARDIANSHIP LAW REVISION**

Missouri Senate Bill 806/House Bill 1553, relating to revisions of guardianship and conservatorship proceedings, was passed by the Legislature in May and signed into law on June 1, 2018.

There was much concern over some of the wording in the guardianship law revisions.

**Much of the wording concern has been eliminated from the Truly Agree To and Finally Passed version of SB806.**

**In particular, this wording has been eliminated:**

(3) “Assure that the ward resides in the best and least restrictive setting reasonably available. The guardian shall give priority to home or community-based settings if not inconsistent with the ward's goals and preferences.”

To review the updated guardianship law go to:

<http://www.senate.mo.gov/18info/pdf-bill/tat/SB806.pdf>

It is important to become familiar with current Missouri guardianship law.

+++++

**NATIONAL COUNCIL ON DISABILITY QUESTIONS NEED FOR GUARDIANSHIP**

There are national efforts to revise guardianship laws as noted in the following article excerpt:

“Federal Report Calls For Alternatives To Guardianship” by Shaun Heasley March 23, 2018

Guardianship is overused, often unnecessarily depriving individuals with disabilities of their rights, warns a federal agency tasked with advising Congress and the president.

In a 201-page report issued this week, the National Council on Disability said that guardianship is commonly seen as a “benevolent measure” and imposed based upon assumptions about the capabilities of people with disabilities without appropriate reason.

Currently, about 1.3 million Americans are subject to guardianship. While guardianship is supposed to safeguard individuals, the report found that courts are frequently incapable of adequately monitoring these situations, potentially leaving people with disabilities vulnerable to abuse or neglect at the hands of those who are supposed to be protecting them.

Most states require courts to consider less restrictive alternatives before turning to guardianship, the National Council on Disability said, but that rarely happens. Meanwhile, it’s uncommon for individuals to seek to have their rights restored once they have been placed under someone else’s care.

Complicating matters even further is that data on the number of guardianships — either existing or new — is hard to come by.

“NCD chose to examine this topic at depth given the implications for someone’s civil rights and liberty under guardianship — that an individual is losing the authority to make decisions regarding where to live, whether to work and where, where to travel, with whom to socialize and how to manage money and property,” said Phoebe Ball, a legislative affairs specialist at the National Council on Disability who worked on the report. “We need to explore alternatives to guardianship such as supported decision-making that enable people to avoid this civil death.”

The report recommends that the federal government take several steps to help mitigate the overreliance on guardianship.

The report, “Beyond Guardianship” can be found at:

<https://www.ncd.gov/publications/2018/beyond-guardianship-toward-alternatives>

**MORE MISSOURI LAW TO KNOW ABOUT**

Several parts of the Missouri Statutes affect the daily lives of persons living in habilitation centers. It is worthwhile to be aware of some of these sections of Missouri law.

**Chapter 630 of the Missouri Statutes covers the Department of Mental Health**

<http://revisor.mo.gov/main/OneChapter.aspx?chapter=630>

630.615 states:

630.615. Program standards to be considered — prior to placement. — Before placing any client in a particular residential facility or day program, the department shall consider each of the following criteria:

- (1) The best interests of the patient or resident;
- (2) Except as provided in subdivision (5) of this section, the least restrictive environment for providing care and treatment consistent with the needs and conditions of the patient or resident;
- (3) The ability to provide to the patient or resident that individual degree of care and treatment which is required for that patient or resident and which is of comparable quality to the existing care and treatment based upon investigation of the alternative place and its program of care and treatment;
- (4) The relationship of the patient or resident to his family, guardian or friends, so as to maintain relationships and encourage visits beneficial to the patient or resident;
- (5) Whether the facility will provide the security necessary to protect the public safety and any crime victim or other witnesses if the client was committed to the department of mental health pursuant to chapter 552, based on an accepted plea of not guilty by reason of a mental disease or defect excluding responsibility or an acquittal on that basis as provided in section 552.030 for a dangerous felony as defined in section 556.061, or a violation of section 565.020 or 566.040, or an attempt to commit one of the preceding crimes.

<http://revisor.mo.gov/main/OneSection.aspx?section=630.615&bid=30832&hl>

**OTHER MISSOURI SOURCES CONCERNING PLACEMENT**

**The Missouri Department of Mental Health, Division of Developmental Disabilities Waiver Manual** states on page 7:

“When it is determined that a person needs the level of care provided in an ICF/DD, the support coordinator informs the person or a legal guardian of any feasible alternatives available under the waiver and gives the person the **choice** of either institutional or home and community-based waiver services.

++++  
++++

**HABILITATION CENTER HOMES**

Habilitation center homes are successful, stable, and sustainable, giving comprehensive, consistent, and cost-effective care to the residents.

**Do you know of a family** that might need the services of a habilitation center? Call the Parents Association at 314-340-6002.



**U.S. CONGRESSIONAL BILLS TO WATCH (FROM VOR)**

There is always some proposed legislation that affects the lives of persons with intellectual disabilities.

Current U.S. Congressional legislation being proposed that affect the lives of persons who live in habilitation centers, and/or rely on sheltered workshops for employment is summarized below:

**S.910, H.R.2472 The Disability Integration Act of 2017**

Sponsored by Sen. Chuck Schumer (D-NY) in the Senate and Rep. Jim Sensenbrenner (R-WI) in the U.S. House.

The act discriminates against people in ICF's and the undeclared goal of the bill's supporters is to close ICFs/IID. (ICFs are habilitation centers in Missouri).

VOR opposes this bill.

<https://www.congress.gov/bill/115th-congress/senate-bill/910>

<https://www.congress.gov/bill/115thcongress/house-bill/2472>

**H.R.1377 Transitioning to Integrated and Meaningful Employment Act**

Sponsored by Rep. Greg Harper (R-MS)

The goal of this bill is to eliminate sheltered workshops (Center-based employment), covered under Section 14c of the Fair Labor Standards Act of 1938.

The bill would prohibit the Department of Labor from issuing new special wage certificates for individuals whose earning or productive capacity is impaired by age, physical or mental deficiency, or injury, and (2) repeal the authority for issuing such certificates six years after the enactment of this bill, at which time any outstanding special wage certificates shall be revoked.

The bill overlooks the fact that some people benefit from 14c programs and are not likely to be hired in minimum wage, competitive jobs.

VOR opposes this bill.

<https://www.congress.gov/bill/115th-congress/house-bill/1377>

**H.R.5658 Workplace Choice and Flexibility for Individuals with Disabilities Act**

Sponsored by Rep. Glen Grothman (R-WI).

The purpose of the bill is to preserve Section 14c employment opportunities of the sheltered workshops for those who benefit from them and who would not be likely to be hired in competitive employment.

VOR supports this bill.

<https://www.congress.gov/bill/115th-congress/house-bill/5658>



**2018 VOR ANNUAL CONFERENCE AND CONGRESSIONAL VISITS**

VOR is a national organization that advocates for high quality care and human rights for people with intellectual and developmental disabilities.

Mary and Steve Vitale attended the VOR Annual Conference held in Washington, D.C. from Saturday, June 8 – Wednesday June 13.

Conference meetings were held on Saturday and Sunday.

The presentation of State Reports was a valuable time to learn about how each state is advocating for intellectually disabled persons.

A guest speaker, Kate McSweeney, VP on Government Affairs and General Counsel for ACCSES, spoke about the need for a full continuum of employments opportunities, including sheltered workshops.

Scheduled meetings with U.S. Senate and Representative offices were on Monday and Tuesday.

The meetings were opportunities to continue to educate legislators of the great need to recognize the necessity of a full continuum of services for persons with intellectual disabilities.

Topics covered during Congressional meetings were:

\*\* The need for giving residents and guardians the opportunity to opt out of any federally financed class action lawsuit against a Medicaid certified and funded ICF/IID (Many times these lawsuits have caused closures of facilities, resulting in abuse and neglect of residents).

\*\*Joint Report of Office of Inspector General (OIG), Administration for Community Living (ACL), and Office of Civil Rights (OCRR) concerning residents of group homes being at risk of serious harm

\*\*The Disability Integration Act, which proposes the closure of all congregate care

\*\*The crisis in Hiring, Training, and Retaining Direct Support Professionals

\*\*The need for more dental care resources

\*\* The Olmstead decision of the Supreme Court, which interprets the Americans with Disability Act, supporting choice for those needing services

In the Olmstead decision, Justice Anthony Kennedy stated a warning in his opinion:

**“It would be unreasonable, it would be a tragic event, then, were the Americans with Disabilities Act of 1990 (ADA) to be interpreted so that States had some incentive, for fear of litigation, to drive those in need of medical care and treatment out of appropriate care and into settings with too little assistance and supervision.”**

+++++

During our Congressional visits, many legislative aides state that there are several organizations coming to them in support of closing habilitation centers and sheltered workshops. They are very appreciative of the balanced view of the information presented by VOR advocates.

VOR IS OUR NATIONAL VOICE TO ADVOCATE FOR OUR FAMILY MEMBERS.

THE WORK OF VOR IS EXTREMELY IMPORTANT.

YOU CAN BE A PART OF THIS IMPORTANT WORK. BECOME A MEMBER OF VOR.

Online at [www.vor.net](http://www.vor.net)

By phone toll free 1-877-399-4867

ENCLOSED CONTRIBUTION \_\_\_\_\_

IN MEMORY OF \_\_\_\_\_

ON THE OCCASION OF \_\_\_\_\_

PLEASE SEND TO (name) \_\_\_\_\_

(address) \_\_\_\_\_

FROM (name) \_\_\_\_\_

(address) \_\_\_\_\_

**MAKE CHECKS OR MONEY ORDERS PAYABLE TO "BHC Parents Association"**

**MAIL TO: PARENTS ASSOCIATION 10695 BELLEFONTAINE ROAD ST LOUIS MO 63137**



**THE HIDDEN TREASURE SHOP  
NEW HOURS!! BEST THRIFT SHOP PRICES!!**



**BLDG #1901** FIRST BUILDING ON THE LEFT AS YOU ENTER BHC CAMPUS.

**WEDNESDAYS, 11 A.M. TO 2 P.M. AT BHC**

Please leave donated items at the Parents Association shed near the Thrift Shop.

**PARENTS ASSOCIATION, INC.  
BELLEFONTAINE HABILITATION CENTER  
10695 BELLEFONTAINE ROAD  
ST. LOUIS MO 63137**

**FORWARDING AND ADDRESS  
CORRECTION REQUESTED**