

**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 NOVEMBER 2018**

**PARENTS ASSOCIATION MEETING  
SUNDAY, NOVEMBER 11, 2018 2:00 p.m.  
Administration Bldg. Room #10**

**HAPPY THANKSGIVING**

**ELECTION OF OFFICERS AND DIRECTORS  
FOR 2019 PARENTS ASSOCIATION**

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: NOVEMBER 11, 2018**

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

**2019 PARENT ASSOCIATION MEETING DATES: MARK YOUR CALENDARS!!**

**FEBRUARY 10      MAY 19      AUGUST 11      NOVEMBER 10**

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**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.

**Federal Surveyors for Title XIX Medicaid funding** were on campus for a revisit. All requirements were in compliance with Medicaid regulations.

**The closed admissions to habilitation centers policy** of the Missouri Department of Mental Health is in violation of federal Medicaid regulations. Families are being denied the legal right to choose between placement in the community or in a habilitation center.

**Become familiar with the revised Missouri guardianship laws** in the Truly Agreed to and Finally Passed Senate Bill 806, which include alternatives to court appointed guardianship.

**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).

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



safe, healthy, supportive, homelike environment.

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**THE “FORCE” AT THE BHC PICNIC – SEPTEMBER, 2018**

The fun “force” was on the BHC campus during the annual picnic on September 13. Impressive Star Wars characters roamed the campus and took part in the campus parade.

Residents were delighted with the Bubble Bus as hundreds of floating, sparkling bubbles filled the air around them.

The fun “force” continued in a Star Wars world in the Multipurpose Building. The gym was creatively decorated with painted images of Star Wars characters and large character balloons, setting the atmosphere with a “May the Force Be with You” (for fun) feeling.

Clowns, music, games, caricature artist, mime, belly dancers, face painting, horse and carriage rides, and food and drink kept smiles on the faces of the residents.

Treats of fruit, Hawaiian Ice, funnel cakes, cotton candy and soft-serve ice cream added to the enjoyment of the day.

Thanks goes to:

BHC Parent’s Association  
BHC Picnic Committee  
BHC Staff  
Bubble Bus  
Balloon Clown  
Belly Dancers  
Caricature Artist  
Casino Queen  
City Mime  
D&T Funnel Cakes  
Dandy Soft Serve  
Diana Jones  
Face Painters  
Hampel Clowns  
Latrisa Avery  
Parade Participants  
Dr. Pepper Snapple Group  
Sports Energizers  
St. Louis Carriage  
Star Wars characters  
Terry Hobbs



**MAY THE FORCE BE WITH YOU**

Parade Participants: Star Wars characters, Bellefontaine Police Dept., Riverview Fire and Police Depts., QE, St. Louis Carriage, Hampel Clowns, Donnell Lockridge, Tiffany Wright-Robinson, Joe Lewis, 1608 Float, Purchasing Float, Staff Development Float, Psychology Dept. Float, Apt. A Float, Apt. B Float, Parent Association, Bubble Bus

**MUCH APPRECIATION GOES TO:**

**BHC PARENTS ASSOCIATION**

**THE PICNIC PLANNING COMMITTEE**

**ALL BHC STAFF MEMBERS**

**THE SPONSORS**

**THE PERFORMERS**

The picnic day brought abundant smiles, fun, and joy to all the BHC residents.

**BUSY SUMMER MONTHS FOR BHC RESIDENTS**

BHC residents enjoy a variety of programs and activities on and off campus. They are part of their surrounding community as evidenced in the activities BHC residents have enjoyed during the summer months. And then they have a safe, healthy, supportive environment to come home to at BHC.

**In the Community:**

Shopping: Dollar store, Goodwill, Dollar General, Five Below, Beauty Supply, Walmart, V Stock, Family Dollar, Dollar Tree , Save a Lot, Galleria Mall, Dirt Cheap, Shoe Carnival, Mid Rivers Mall, West County Mall, Citi Trends, Kmart, Shop n Save, Value City, Target, Ross, Mills Mall, Here Today, Lane Bryant, Burlington

Out to Eat: Rice House, Hooters, Applebees, St. Louis Fish & Chicken, Culvers, Bandana's BBQ, Angel's BBQ, Coldstone Creamery, White Castle, St Louis Bread Company, Pasta House, Fro Yo's, Qdoba, KFC, Best Steak House, Dairy Queen, Crown Candy, Raising Cane, Hardees, Doozles, 54<sup>th</sup> Street Grill, Chilis, Hibacci Grill, Sweetie Pies, Fazolis, White Castle, Cracker Barrel, McDonalds, Steak n Shake, Hometown Buffet, Imos, Sonic, Ted Drews, Golden Corral, Uncle Bills Pancake House, Wendys, McAllisters, Panda Express, Baskin Robbins

Other: Hollywood Amphitheater, Gas Station, Home Visit, Universoul Circus, Cardinal Baseball game, Zoo, Great Clips, USOS Haircuts, TanTara Resort, Fox Theater, Kiener Plaza, History Museum, Museum of Transportation, Gateway Motor sports, City Garden, Jack of all Fades, Forest Park, Arch, Flea Market, Faith Church Park, January Wabash Park, St. Charles Movie Theater, St Charles Riverfront

**On campus:**

Movie Nights, Bingo, Dances, Open Gym, BHC picnic



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**FEDERAL REIMBURSEMENT FUNDS TO THE STATE OF MISSOURI 2018**

**HABILITATION CENTER**

**FY 2018 ICF/IID COLLECTIONS**

Bellefontaine	\$16,979,084.00
Higginsville	10,078,093.00
Northwest Community Services	13,854,907.00
St. Louis DDTTC (St. Charles, S. County)	17,646,014.00
<b>TOTAL</b>	<b>\$58,558,098.00</b>

Habilitation centers continue to earn millions of dollars in federal Medicaid reimbursement funds for the state of Missouri at the rate of approximately \$60.00 for each \$100.00 of expenditure for habilitation center services!!!

Providing these comprehensive services in habilitation centers is successful and very cost-effective.

Receiving comparable services "in the community" would not save money.

Habilitation centers are good homes for residents. They 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.

**CLOSED ADMISSIONS TO HABILITATION CENTERS IN MISSOURI VIOLATES THE LAW**

The Missouri Department of Mental Health policy of closed admissions to Missouri's Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICFs/IID), called habilitation centers in Missouri, is in violation of federal Medicaid law.

The ICF/IID (habilitation center) program remains a federal Medicaid entitlement program.

Individuals who qualify for ICFs/IID (habilitation centers) under Medicaid law have a legal right to these facilities for as long as they remain eligible and make the choice of an ICF/IID.

This legal right to have the choice of an ICF/IID (habilitation center) is clearly stated in federal and state laws. A few examples of these laws are:

**The Center for Medicare and Medicaid Services (CMS) regulations** implementing Medicaid law states that:

"CMS will not grant a waiver...and may terminate a waiver already granted" unless a state provides certain "satisfactory assurances" including assurances that "the recipient or his or her legal representative will be

1) Informed of any feasible alternatives available under the waiver, and

2) Given the **choice** of either institutional or home and community-based services." 42 C.F.R. § 441.302(d).

**The 1999 Supreme Court decision in Olmstead v. L.C.** affirmed the legal right to an ICF/IID stating:

"We emphasize that nothing in the ADA...condones termination of institutional settings for persons unable to handle or benefit from community settings...Nor is there any federal requirement that community-based treatment be imposed on patients who do not desire it." Olmstead v L.C. 527 U.S. 581, 601-02 (1999)

**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.

**The policy of closed admissions to habilitation centers ignores federal and state law.**

Families are calling habilitation centers looking for help in finding out- of- home services for their family members who are intellectually disabled.

Families searching for services from the Missouri Department of Mental Health have the legal right to choose from all available Medicaid services.

Why are federal and state laws that require choice of community placement or habilitation center placement being ignored?

Where is the real choice for families looking for services when they are not allowed to visit habilitation center homes?

Educate your state and federal legislators about the closed admissions policy and about the legal right of families to be able to consider habilitation centers for services.

## **REVISIONS TO MISSOURI GUARDIANSHIP LAW**

It is important to be aware of the current Missouri guardianship law and to know your rights and responsibilities as a court appointed legal guardian.

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

To review the Truly Agreed to and Finally Passed SB806 updated guardianship law go to:

<https://www.senate.mo.gov/18info/pdf-bill/tat/SB806.pdf> (Changes are in bold type.)

Included in the updated law is the consideration of alternatives to guardianship, including supported decision making agreements.

## **ALTERNATIVES TO GUARDIANSHIP PROMOTED IN MISSOURI**

Organizations have been promoting the revised Missouri guardianship law that encourages the Supported Decision Making alternative to court appointed guardianship.

The Arc of Missouri held their Annual Educational Summit on Tuesday, September 11, 2018. Topics covered included guardianship and Supported Decision Making.

The Missouri Symposium on Supported Decision Making by UMKC Institute for Human Development was held on September 12, 2018. The symposium was part of statewide efforts to implement Supported Decision Making in Missouri.

The keynote speaker at each conference was Jonathan Martinis, Esq., J.D., the Senior Director of Law & Policy at Burton Blatt Institute, and Project Director for the National Resource Center for Supported Decision Making in Syracuse, NY. Mr. Martinis is a staunch proponent of Supported Decision Making, speaking at several events across the country.

### **What is Supported Decision Making?**

The Supported Decision Making (SDM) promotes the idea that, with almost no exceptions, all people with intellectual disabilities can make their own decisions with support from an informal network of advisors. The advisors do not need to be court-appointed and do not bear any responsibility for ensuring the success of outcomes.

The primary goal of SDM is to move away from “substituted decision-making”, where the guardian makes decisions for the incapacitated person. The supporters of SDM claim that empowering individuals to make their own decisions would make most guardianships unnecessary.

Guardians of people with intellectual disabilities usually have an existing network of informed persons to assist them in making decisions for their wards, including other family members, direct care providers, and medical personnel. This is what SDM promotes, but without the protection of court-ordered guardianship.

Be aware of what SDM promotes and the possible consequences of SDM for persons with severe intellectual disabilities.

While some individuals may be able to use SDM, it is not a “one size fits all” alternative to court appointed guardianship.

As legal guardians for our family members, we use our guardianship to make the best decisions for the safety, health, and general well-being of our family members who are severely intellectually disabled.

It is important for legal guardians to know their rights in carrying out these duties.

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**VOR ORGANIZATION SUPPORTS H.R. 6768** [www.vor.net](http://www.vor.net)

U.S. Representative Bob Goodlatte (R-VA) introduced bill, H.R. 6768, to protect the families' right to choose where their loved ones reside. Rep. Goodlatte's bill would require that **before** any federally-financed class action lawsuit against a Medicaid-certified and funded ICF/IID can proceed, residents and guardians **must receive notice of the proposed lawsuit and be given a time-limited opportunity to opt-out of the suit if they wish.**

(An ICF/IID is called a habilitation center in Missouri.)



H.R. 6768 states:

“(a) PURPOSES.—This Act is enacted to further carry out the Congressional intent of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the Americans with Disabilities Act and the Supreme Court decision in *Olmstead v. L.C.*, 527 U.S. 581 (1999) to permit individuals with disabilities and their legal representatives to choose where to live from a full continuum of options

- (1) by prohibiting class action lawsuits by federally funded entities unless the residents of ICFs/IID are given notice of the proposed action and an opportunity to opt out; and
- 2) by permitting such residents and their legal representatives to intervene in such lawsuits.”

Many times in the past these lawsuits have caused the closure of homes like habilitation centers, over the objections of legal guardians. Sadly and alarmingly, many times these closures have caused an increase of abuse, neglect, and even death for those forced out of their homes.

Contact your U.S. Representative and ask for support for bill H.R.6768

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**VOR - OUR NATIONAL VOICE TO ADVOCATE FOR OUR FAMILY MEMBERS**

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

Every day VOR is diligently working on the local, state and federal levels to educate about the needs of individuals who are intellectually disabled, especially those who are severely affected.

**Join VOR – our national voice to maintain a choice from a full continuum of care for persons with intellectual disabilities. \$45 per year per individual; \$200 per year per family organization; or \$250 per year per provider/professional organization**  
**Send completed form with payment to: (checks made out to “VOR”)**

VOR

836 S. Arlington Heights Rd., #351

Elk Grove Village, IL 60007

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip \_\_\_\_\_

Home Phone: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**Gifts to VOR are tax-deductible to the fullest extent of the law, as no goods or services are provided in consideration of a gift. TOLL FREE 877-399-4VOR WWW.VOR.NET**

THE WORK OF VOR IS EXTREMELY IMPORTANT.

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

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TRIBUTE FUND FORM (please print)

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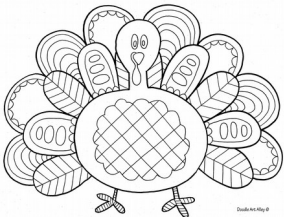
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**MAKE CHECKS OR MONEY ORDERS PAYABLE TO "BHC Parents Association"**

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



**HAPPY HOLIDAYS  
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  
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**FORWARDING AND ADDRESS  
CORRECTION REQUESTED**

