

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

PHONE 314-340-6002

WEBSITE www.parentsassociationbhc.com

NEWSLETTER NOVEMBER 2015



PARENTS ASSOCIATION MEETING
SUNDAY, NOVEMBER 8, 2015 2:00 p.m.
GYM IN THE MULTIPURPOSE BUILDING, BHC

ELECTION OF OFFICERS AND DIRECTORS
FOR 2016 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 8, 2016
2:00 P.M. in the gym

2016 PARENT ASSOCIATION MEETING DATES: MARK YOUR CALENDARS!!

FEBRUARY 21

MAY 15

AUGUST 14

NOVEMBER 13

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

Our Parent Newsletter is online at www.ParentsAssociationBHC.com!! Pass it along to friends, family, and political leaders.

Federal surveyors were on campus the first week of June. This annual survey is required by federal Medicaid laws to maintain Medicaid funding for the residents of Bellefontaine Habilitation Center. The survey is oversight to ensure that residents are getting the services mandated by federal law for those persons living in an Intermediate Care Facility for Individuals with an Intellectual Disability (ICF/IID) – called habilitation centers in Missouri.

Roads continue to be in need of repair.

The swimming pool has had an extensive makeover and is up and running again. Residents are once again enjoying the fun and therapies of pool time.

Missouri guardianship laws are being revised. Some of the proposed changes are reasonable, but some are not.

Stay in contact with your legislators, and invite them to visit a habilitation center home. To find your legislators, call the Missouri Capitol Switchboard at 1-573-751-2000 or go to www.mo.gov.

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.

<u>DONOR</u>	<u>RECIPIENT</u>	<u>OCCASION</u>
Jeanette Craig	Frieda Karras family	in memory of Kay Karras
Jeanette Craig	Norma Lingle	in memory of Howard Lingle
Jeanette Craig	Patrick Wells	in memory of Bill Wells
Norma Lingle		in memory of Howard Lingle
Sarah Jane May		in memory of Betty Ellison
Mickey Slawson	Patrick Wells	in memory of Bill Wells

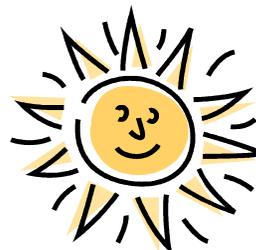
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Thanks to the Knights of Columbus, St. Alban Roe Council 12022
for a generous donation of \$250.00

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FUNDS APPROVED BY PARENTS ASSOCIATION BOARD

- \$ 300.00 Household goods, Home 1607
- \$ 250.00 Patio furniture, Home 1607
- \$ 300.00 Household goods, Home 1908
- \$ 85.00 Kitchen items, Home 1608
- \$ 200.00 Household goods, Home 1604
- \$ 185.00 Household goods, Home 1602
- \$ 800.00 Halloween treats, decorations, pumpkins



EMPLOYEE RECOGNITION LUNCHEON



The theme for the 2015 Employee Recognition Luncheon was “Bling, Bowties & Blue Jeans”. It was held again at the Catering to You Banquet Center on July 23, 2015.

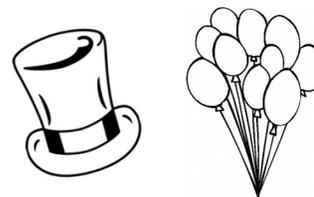
Entertainment, games, prizes, conversation and a delicious meal made the luncheon an enjoyable afternoon for all those in attendance. The 50th anniversary of the Parents Association was honored and service to the residents was stressed.

Always impressive is the number of years BHC staff members have given care to our loved ones! Some of the Honor Roll of Years of Service for 2015 included these numbers:

31-37 years - 4 staff	25-30 years - 38 staff
19-24 years – 54 staff	14-18 years – 71 staff
9-13 years – 114 staff	5-8 years – 84 staff

Having staff members who have many years of experience helps to give BHC residents a high level of care.

THANKS TO ALL WHO PLANNED A FESTIVE LUNCHEON AND **THANKS** TO ALL STAFF WHO MAKE THE BHC CAMPUS A CARING HOME FOR THOSE WHO LIVE HERE.



BHC PICNIC-SEPTEMBER 2015

The annual Bellefontaine Habilitation Center Picnic for the residents was held on Wednesday September 16 for Unit 1 and Thursday September 17 for Unit 3.

HATS OFF TO THE PARENTS ASSOCIATION – 50TH ANNIVERSARY was the theme of this year’s picnic. Decorations and game booths honored the 50 years of advocacy by the Parents Association. Association.

Clowns, music, games, caricature artist, mime, belly dancers, horse and carriage rides, and food and drink filled the day with fun activities.

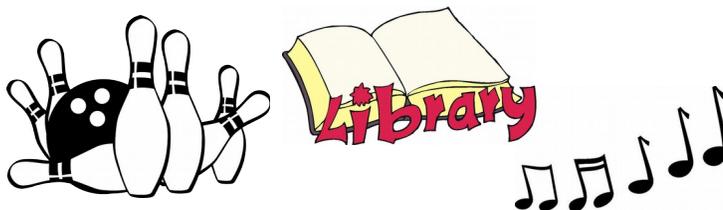
Thanks goes to: BHC Staff Picnic Committee BHC Parent’s Association

Absopure Casino Queen 7-Up Bottling Company
Sports Energizers Dairy Queen D&T Funnel Cakes
NAEIR Anthony Coleman

Hampel Clowns City Mime Caricature Artist
Belly Dancers Face Painters Horse & Carriage Ride

MUCH APPRECIATION GOES TO THE PICNIC COMMITTEE, ALL BHC STAFF MEMBERS, THE SPONSORS, AND THE PERFORMERS FOR THE PICNIC DAYS THAT GAVE THE RESIDENTS SO MUCH JOY!

SUMMER ACTIVITIES FOR RESIDENTS



Residents were on the go this summer!!!

They went shopping and ate at restaurants. They went bowling, to concerts in the parks and zoo, to the library, and to a car show. The also visited the History Museum, Soulard Market, the Old Courthouse, and the St. Charles riverfront.

And they were busy on the BHC Campus!!!

Every day in programming a different topic is highlighted. A variety of activities are provided to learn about the topic such as coloring pages, puzzles, math, recipes, and history of the topic for staff to read to the residents.

A few of the recent topics were:

- International Joke Day
- Sugar Cookie Day
- World Ranger Day
- Wizard of Oz
- Amelia Earhart
- National V-J Day
- International Peace Day

BELLEFONTAINE HABILITATION CENTER IS A GOOD HOME FOR RESIDENTS. IT IS 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.

PROPOSED CHANGES TO MISSOURI'S GUARDIANSHIP LAW- PUBLIC COMMENT BEING TAKEN

The Missouri guardianship laws are being revised by a network of stakeholders called MO-WINGS Missouri's Working Interdisciplinary Network of Guardianship Stakeholders. The current draft can be found at the website: mo-wings.org



PARENT ASSOCIATION COMMENTS:

While some of the revisions to the guardianship laws are necessary, there is some rewording that is concerning. Two major concerns are:

CONCERN NUMBER 1: the new wording (page 63) that states:

(3) "The guardian shall give priority to home or community-based settings when not inconsistent with the ward's goals and preferences;"

COMMENT:

A guardian should not be forced by law to give priority to home or community-based settings. This goes against federal and state law protecting the right of the guardian to choose from all available living options, not giving preference to any of them. The guardian should not be limited in this way. The needs of the wards must be the priority in making decisions concerning their welfare. This wording should be deleted.

CONCERN NUMBER 2: the repeated necessity of including the ward that has been determined by the courts to be "incapacitated" in the decision making process

Once a person is declared incapacitated (page 17) by the courts as a last resort after considering all alternatives (page 44) the old law (pages 62-63) says only that the appointed guardian must act "in the best interest of the ward."

The new wording (pages 62-63) adds:

(1) "taking into consideration the ward's communications as to the ward's goals, needs, and preferences"

(2) "to the extent possible, shall encourage the ward to participate in decisions"

Other new wording (pages 67-68) in the Annual Report that states:

"the extent to which the ward has participated in decision-making;" and "the extent to which the ward has participated in the development of the plan."

COMMENT: If one has been declared by the courts as incapacitated how can that person participate in decision making? If one is indeed capable of decision making then maybe a guardianship is not needed. It would be better to keep the old wording of "in the best interest of the ward".

In a May 12, 2015 article in the St. Louis Post-Dispatch concerns were highlighted in these comments: **"St. Louis County Public Administrator Tom Arras said the whole idea is to protect a person who is not capable of making his or her own decisions.**

He's concerned that proposals to update the guardianship law could pit the ward and guardian against each other.

"Reforms are going to make it harder for guardians to perform their function," he said.

TAKE ACTION: MO-WINGS will receive and respond to comments from individuals and groups before finalizing its draft in November 2015. Public input is being accepted through October. Go to website mo-wings.org Email comments to info@mo-wings.org or you may submit written comments to MO-WINGS, P.O. Box 106129, Jefferson City, MO 65110

TAKE ACTION: The final revisions may be introduced in the 2016 legislative session. Contact your state senator and representatives to let them know of your concerns.

DEVELOPMENTAL DISABILITIES ACT, LANGUAGE BEING AMENDED

A letter dated September 29, 2015 was sent to Senator Lamar Alexander who is the Chairman of the Senate Committee on Health, Education, and Labor & Pensions stating objections to changes in the wording of the Developmental Disabilities Act (DD Act), and oversight of the DD Act. Thanks to Carole Sherman, a devoted advocate from Arkansas for drafting the letter. Families from several states added their signatures to the letter.

The letter expressed strong objection to the elimination of the word "habilitation" in the DD Act.

The DD Act includes the term "habilitation" five times in outlining the unique needs of the population with developmental disabilities in SEC. 109 (Rights of Individuals with Developmental Disabilities).

The July 2015 Final Rule document eliminates the word "habilitation" and so fundamentally alters the DD Act by replacing a distinctive service and right essential to the population for which the Act was created -"treatment and habilitation services" - with a nonspecific, vague phrase, "services, supports and other assistance."

The letter also requested an oversight hearing on how the DD Act is being misused to encourage the elimination of congregate care like habilitation centers in Missouri.

Being aware of actions on the federal level is vital to maintaining needed services for our family members who are severely intellectually disabled.



FEDERAL LAW SUPPORTS A CONTINUUM OF CARE FOR PERSONS WITH INTELLECTUAL DISABILITIES

Because federal laws are being ignored or grossly misinterpreted it is important to remember and use what is really stated in the laws. Below are direct citations from the Developmental Disabilities Act and the 1999 Olmstead decision by the Supreme Court.

Developmental Disabilities Act Amended, 2000

"Individuals with developmental disabilities and their families are the primary decision makers regarding the services and supports such individuals and their families receive, including regarding choosing where the individuals live from available options, and play decision-making roles in policies and programs that affect the lives of such individuals and their families." DD Act, 42 U.S.C. 15001(c) (3)(2000)

Olmstead Supreme Court Decision (1999 Olmstead v. L.C. St. Ct. 2176)

The Court held that the ADA [Americans with Disabilities Act] requires community placement only when "the State's treatment professionals have determined that community placement is appropriate, the transfer from institutional care to a less restrictive setting is not opposed by the affected individual, and the placement can be reasonably accommodated, taking into account the resources available to the State and the needs of others with mental disabilities."

"We emphasize that nothing in the ADA [Americans with Disabilities Act] or its implementing regulations 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." 119 S. Ct. 2176, 2187 (1999).

"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."

UPDATE ON FEDERAL RULE ABOUT HOME AND COMMUNITY BASED (HCBS) WAIVERS
Medicaid Home and Community-Based Services Final Rule
CMS-2249-F/CMS-2296-F, 42 CFR Part 430, 431 et al.

The rule and related CMS fact sheets are available at www.medicaid.gov/HCBS

This ruling does NOT affect habilitation centers directly, but could force some provider options in the community to close – FURTHER LIMITING CHOICES FOR FAMILIES IN NEED OF SERVICES.

On January 10, 2014, the Centers for Medicare and Medicaid Services (CMS) released a final rule about home and community- based services provided by Medicaid’s 1915(c) HCBS waiver program, 1915(i) HCBS State Plan Option, and 1915(k) Community First Choice.

The ruling declared what CMS defines as “community” living to qualify for HCBS waiver funding from Medicaid, and what is not considered “community” living.

CURRENT COMMENTS ON THIS NEW RULING ARE BELOW:

From Coalition for Community Choice, www.coalitionforcommunitychoice.org

“In January 2014, the Center for Medicare and Medicaid Services (CMS) issued a “final rule” describing how the waiver program would operate under the Affordable Care Act. That document didn’t disqualify any particular housing models. In fact, it noted, “It is not the intent of this rule to prohibit congregate settings from being considered home and community-based settings.”

But two months later, CMS issued a “guidance bulletin” to help states decide which settings should be deemed too institutional to participate. This document specifically cited farmsteads, gated communities, residential schools, and clustered residences as too isolating. The bulletin allowed for some of these settings to be approved through a process called “heightened scrutiny.”

However, several states seem inclined to draft policies that are more restrictive than these federal guidelines.”

From VOR, vor.net

The rule continues to demonstrate an ideological bias against disabled people who find friendships and benefits from living together and accessing services and amenities “under one roof.” CMS states that “one of the essential purposes of the person-centered service plan is to ensure community integration” and “full access to the greater community.” Per this rule, CMS sees any congregate care as institutional and not community.

From The Atlantic, May 26, 2015

“Who Decides Where Autistic Adults Live?” By Amy S. F. Lutz

“For many intellectually and developmentally disabled people, large campuses or farmsteads may be better options than small group homes. But new state laws could make it hard for big facilities to survive.

Perhaps it was this population that Supreme Court Justice Ruth Bader Ginsburg was worried about when she carefully crafted her opinion in the 1999 *Olmstead* case to make it clear that community inclusion might not be right for everyone. Such integrated settings, she wrote, should only be required “when the State’s treatment professionals have determined that community placement is appropriate” and “the transfer from institutional care to a less restrictive setting is not opposed by the affected individual.”

In other words, forcing developmentally disabled individuals into dispersed community settings that don’t meet their needs is as much a violation of *Olmstead* as forcing them into institutions.

It may be another form of discrimination to suppose that intellectually disabled adults can’t thrive in a community of their own making.”

TRIBUTE FUND FORM (please print)

ENCLOSED CONTRIBUTION _____

IN MEMORY OF _____

ON THE OCCASION OF _____

PLEASE SEND TO (name) _____

(address) _____

FROM (name) _____

(address) _____

MAKE CHECKS OR MONEY ORDERS PAYABLE TO "Bellefontaine Habilitation Parents Association"

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



HAPPY THANKGIVING TO ALL



THE HIDDEN TREASURE SHOP

SHOP TILL YOU DROP!! BEST THRIFT SHOP PRICES!!

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



SPECIAL CHRISTMAS SALE IN DECEMBER



WEDNESDAYS, 9 A.M. TO 3 P.M. AT BHC

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

HAPPY HOLIDAYS!

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

FORWARDING AND ADDRESS
CORRECTION REQUESTED