

TARC NEWSLETTER

Oklahoma's leading information source on issues impacting the lives of people with developmental disabilities and their families

April 2006

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Why Bad Things Happen to Good Bills

by John F. Gajda, TARC Executive Director

Each year, of the thousands of new bills filed in the Oklahoma Legislature, few bills make it through the legislative process and are signed by the governor. Some bills are filed at the request of specific individuals and/or interest groups and are not expected to make it through the process. Others should but don't.

Bills are not approved either because they receive a majority of negative votes at some point in the process or because they are not acted on in time and simply become dormant. The latter way, a lack of timely action, is the way most bills die.

This is the story of how one such bill, HB 2546, that failed to make it through the legislative process because it became dormant. The bill was drafted and filed by Representative Mark Liotta in an attempt to stop the use of derogatory language by government bodies when referring to people with disabilities. From a disability perspective it was one of the best bills filed this session.

It is a relatively short bill, but a very powerful one for people with disabilities. The entire text of the bill follows.

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 40 of Title 25, unless there is created a duplication in numbering, reads as follows:

- A. Beginning November 1, 2006, all new and revised statutes, administrative rules, local laws, ordinances, charters, or regulations promulgated or any publication published by the state or any political subdivision that refers to persons with disabilities shall:
1. Avoid language that:
 - a. implies that a person as a whole is disabled (e.g., the mentally ill or the learning disabled),
 - b. equates persons with their condition (e.g., epileptics, autistics, or quadriplegics),
 - c. has negative overtones (e.g., afflicted with cerebral palsy, suffering from multiple sclerosis, confined to a wheelchair, or wheelchair bound), or
 - d. is regarded as derogatory or demeaning (e.g., handicapped or mentally deficient); and

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2. Replace nonrespectful language by referring to persons with disabilities as persons first (e.g., persons with disabilities, persons with developmental disabilities, persons with mental illness, persons with autism, or persons with mental retardation).

B. Violation of this section shall not be grounds to invalidate any new or revised statutes, administrative rules, local laws, ordinances, charters, or regulations promulgated or any publication published by the state or any political subdivision.

The bill was assigned to the House Committee on House Rules where it had to be approved by March 10 to meet deadlines for advancement or it would become dormant. The bill was never heard by the committee, it never received an up or down vote, and it became dormant.

I was surprised to find out that this bill did not get heard by the committee to which it was assigned. When I first read this bill I thought to myself “This is a great bill. Who can be against this? It’s long overdue.” I thought it would just sail through. Was I ever wrong!

After looking into the circumstances I was frankly quite disappointed when I learned why this bill became dormant.

As I reconstructed the chain of events I learned that Steve Stokes, the Director of the Office of Handicapped Concerns, was asked by someone (not the author of the bill) to provide a financial impact statement to the House. He claimed in his response to the request that the bill would require that the name of his organization be changed and that it would cost \$65,000 to implement the name change.

His response to the legislature inquiry was as follows:

“The proposed H.B. 2546 would have a significant impact on this agency if passed as proposed. We would have to enter into new legislation in Feb. 2007 to have the name of the Office of Handicapped Concerns statutorily changed to Office of Disability Concerns in state statutes. Once this bill is approved by the House, and Senate then signed by the Governor. Administrative Rules would have to be promulgated and approved in accordance with the Administrative Procedures Act. Then and only then could the agency reprint all publications, pamphlets, brochures, stationary, envelopes, two Agency Office

signs, Agency web site changes, and name change to numerous educational programs to come into compliance with H.B. 2546. The anticipated costs of these changes would be \$65,000 just to change the name of this agency.”

This response was used by House leadership as a reason for not bringing the bill up for a committee vote and allowing it to become dormant.

As you can see from reading this bill, it dealt with action in the future and did not require anyone to go back and change laws or publications or re-do any past action. It was an advisory to government organizations.

The information Mr. Stokes provided to the legislature appears to be an overreaction on his part.

- It vastly overstated the cost of any name change. As the administrator of a private organization that has changed its name, I can assure Mr. Stokes that either he has overestimated the cost of this change by at least four or five times or he is being ripped off by his vendors and needs to look for more competitive sources.
- Nowhere in the bill is the immediate action he projected required.
- This reaction appears to be more a defensive response to the long-time criticism by disability advocates of the Office of Handicapped Concerns who have in the past urged Mr. Stokes to pursue a name change for the organization. He has steadfastly refused to do this.

Now many of you may be wondering, exactly what is the Office of Handicapped Concerns? Advocates may have heard of it, but the office certainly has not been a visible force in the disability advocacy community. It was created in 1980 and is part of the executive branch of state government. Its duties are:

1. To identify the needs of people with disabilities on a continuing basis and to attempt to meet those needs;
2. To serve as a referral and information source for people with disabilities seeking services and for agencies seeking assistance in their provision of services;
3. To generate community awareness and support of programs for people with disabilities;
4. To advise and assist the governor and the Legislature in developing policies to meet the needs of people with disabilities; and

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5. To assist agencies in meeting the requirements of Public Law 93-112 and subsequent amendments thereto, as the same pertain to people with disabilities.

The director (Mr. Stokes) is appointed by the governor and serves at the pleasure of the governor. The office is charged with carrying out the responsibilities of the Governor's Advisory Committee on Employment of People with Disabilities; providing referral assistance, continuing needs assessment, and advice and assistance to private and public agencies in statewide policy development concerning people with disabilities; and implementing in Oklahoma the client assistance program required by the Federal Rehabilitation Act.

The Office of Handicapped Concerns is not where I would expect opposition for HB 2546 to come from. This organization is supposed to be knowledgeable of the needs and wishes of the disability community in Oklahoma and is charged with "assisting the legislature in developing policies to meet the needs of people with disabilities."

Mr. Stokes defends his statement by claiming that his response was "not a discussion of the merits of the bill" and that for him to provide those types of comments (about the merits of the bill) "would be considered lobbying which State employees are not allowed to do."

Sorry, Steve, I disagree with you. Providing comments on the merits of the bill would have been meeting your salutatory mandate to assist the Legislature in developing policies.

With friends like this, the disability advocacy community in Oklahoma doesn't need any enemies! Mr. Stokes' callous, fiscally-focused response to the Legislature demonstrates how out of touch he is with his constituents who think language use is a serious issue and how he has ignored his responsibility to be an agent of change within government for people with disabilities.

It is time for Steve Stokes to get on board or get out of the way.

I have now shared my position on this unfortunate chain of events. If anyone would like to share their opinion with Steve Stokes, he can be contacted by telephone at the Office of Handicapped Concerns at 405-521-3756, by email at Steven.Stokes@ohc.state.ok.us, or by regular mail at 2401 NW 23rd, Ste. 90, Oklahoma City, OK 73107-2423. His boss, Governor Brad Henry, can be contacted by telephone at 405-521-2342, on the web at the comment form on his website <http://www.governor.state.ok.us/message.php>, or by regular mail at State Capitol Building, 2300 N. Lincoln Blvd., Room 212, Oklahoma City, OK 73105.

Is the death of HB 2564 Steve Stokes' fault? Not totally. All disability advocates in Oklahoma are complicit. With a simple, straightforward bill like this, with no immediate fiscal impact, that makes so much sense, everyone assumed it would at least get out for a floor vote in the House. As one other individual who is active in disability advocacy issues reminded me "good bills die if advocates don't watch – and don't take action."

We will have another chance to get the intent of HB 2564 into Oklahoma Statute. The language of the now dormant bill has been added to SB 2017 by a House committee. This version, with the language of HB 2546 included, will have to be approved by the House and then go back to the Senate for final approval with this addition. We seldom get a second chance with bills. Let's not blow this one.

Ten Reasons Why

by John F. Gajda,
TARC Executive Director

These comments were delivered at the Developmental Disabilities Awareness Day rally in Oklahoma City on March 29, 2006.

Each year on a designated day in March we have been gathering at our state Capitol to make a statement about people with developmental disabilities.

For me, as for many of you here today, this is not the first time attending a developmental disabilities awareness day event in Oklahoma City. In fact, it has become a rite of spring for me to journey to Oklahoma City to stand at this spot and raise my voice on behalf of people with developmental disabilities.

Several days ago, when I was thinking about this event we are attending today, I reflected on all of those other trips we have made to Oklahoma City in past years and wondered to myself, why do we need to continue to hold these events? After all, thanks to our previous efforts, there has been progress for people with developmental disabilities in Oklahoma. Programs and services have improved and the state commitment has increased. Isn't our job as advocates for people with developmental disabilities done?

It didn't take me long, though, to answer my own question.

I thought about the over one out of five citizens of Oklahoma who have some disability, including those with developmental disabilities. This is a significant portion of Oklahoma's population that shouldn't be ignored. It often is, though.

That is why we need to continue to hold a developmental disabilities awareness day.

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I thought about all the people who are still on the waiting list for services that is maintained by DDS (Developmental Disabilities Services Division of the Oklahoma Department of Human Services). People are coming off the list and getting services but the list doesn't seem to be getting smaller as every day new people apply and have their names added to the waiting list. People shouldn't be waiting years for services they need today.

That is why we need to continue to hold a developmental disabilities awareness day.

I thought about all the people with autistic spectrum disorders who are caught in a large gap in our state service system that does not adequately address their needs. Oklahoma needs to improve services, change eligibility and develop new services for these individuals.

That is why we need to continue to hold a developmental disabilities awareness day.

I thought about the additional money the Oklahoma Legislature has available to appropriate this year. I wondered how much of it was going to be earmarked for people with disabilities. Where is the priority of the Legislature? I fear that it is not with people with developmental disabilities.

That is why we need to continue to hold a developmental disabilities awareness day.

I thought about the move in the Oklahoma Legislature this session to change the state's Medicaid program. Medicaid is the large source of funds for services for people with developmental disabilities. Yet no one has thought out how moving services to the private sector will work for community-based waived services that are the lifeline for people with developmental disabilities. These needs must be considered before the Legislature breaks something that's working.

That is why we need to continue to hold a developmental disabilities awareness day.

I thought of all the people with disabilities who still live in nursing homes in Oklahoma. In comparison to other states, Oklahoma serves far more people in this setting. In my opinion, even one person with a developmental disability who doesn't want to be in a nursing home but does not have other options is far too many.

That is why we need to continue to hold a developmental disabilities awareness day.

I thought about all the special tax breaks the Oklahoma Legislature has granted and the cold shoulder advocates

have received regarding any tax credit for families raising children with disabilities. If there ever was a special interest group worthy of tax breaks it is families who have children with disabilities.

That is why we need to continue to hold a developmental disabilities awareness day.

I thought about efforts to decrease state support for services with tax cuts and artificial limits on state revenue like TABOR – the taxpayer bill of rights. The only people who will benefit from these efforts are those who can

afford to purchase substitutes for state services with their own money. That doesn't include many people with disabilities that I know.

That is why we need to continue to hold a developmental disabilities awareness day.

I thought about the members of the Oklahoma Legislature who in 2006 still think it is OK to restrict where people with developmental disabilities can live in the community.

That is why we need to continue to hold a developmental disabilities awareness day.

I thought of the members of the Legislature, and even some state bureaucrats who masquerade as advocates, who don't think language is important and believe that it doesn't matter how we refer to people with disabilities. We need to change the attitudes, beliefs and values of the members of the Oklahoma Legislature, and for that matter, many of the citizens of Oklahoma.

That is why we need to continue to hold a developmental disabilities awareness day.

These 10 concerns I thought about are some of the issues we need to meet with our legislators about. These are the reasons why our job as advocates for people with developmental disabilities is clearly not done. The existence of these issues documents a lack of awareness about people with developmental disabilities and that is why we need to continue to have a special day at the Capitol to develop that awareness about developmental disabilities in the members of the Oklahoma Legislature.

If we persist and continue to call attention to the needs of people with developmental disabilities perhaps some year we won't need to hold a special developmental disabilities awareness day. With your continued advocacy, developmental disabilities awareness won't have to be a single special day but will be a state of mind that continues year round. That should be our goal.

“Where is the priority of the Legislature? I fear that it is not with people with developmental disabilities .”

2006 Legislative Session Advances but Many Bills Don't

After a little more than one month, the Second Session of the 50th Oklahoma Legislature continues to work through the thousands of new bills that were filed in 2006. As expected, many of the bills are already dormant because they have failed to meet required deadlines to advance through the legislative process. Included are five of the original bills that were on the TARC tracking list.

The current status of the remaining bills listed last month that are still alive are listed at right. Also included are two additional bills have been added to the list since last month.

One late filed bill, HB 3040, escaped notice last month when the newly filed bills were being reviewed to locate pertinent proposed legislation. This bill would exempt non-profit providers of services to people with developmental disabilities from punitive damage awards in civil law suits. HB 3040 has already passed the House and is now assigned to the Senate Judiciary Committee. This seems like a bad deal for people with developmental disabilities and their families and a "get out of jail free" card for negligent providers.

There is one other bill added that was originally not included when the tracking list was put together that now appears to potentially have a great impact on people with developmental disabilities. It is HB 2842 that would change the Oklahoma Medicaid program. Medicaid is the largest funding source for services for people with developmental disabilities and major programmatic changes in Medicaid can not be enacted without impacting people with developmental disabilities.

One tracking list bill from last month that is no longer listed because it went dormant is HB 2546. This bill would have prohibited the use of derogatory language in rules, laws, ordinances, and government publications when referring to people with disabilities. This bill met an untimely death because it was never heard in the house committee to which it was assigned. Fortunately the language has been added to SB 2017. Passage of SB 2017 is now more vital.

Remaining Deadlines for the Second Session of the 2006 Oklahoma Legislature

Action	House	Senate
Deadline for reporting bills from committee in opposite house	April 20	April 6
Deadline for 3rd reading of bills in opposite house	April 27	April 27
Deadline for rejecting engrossed Senate Amendments/ Requesting Conference	May 4	
Deadline for filing all Non-Appropriation Conference Reports	May 19	
Sine Die by 5 p.m.	May 26	May 26

The TARC Tracking List

Children with Disabilities - HB 2556 - Relates to children; and prohibits the Developmental Disabilities Services Division (DDSD) of the Department of Human Services (OKDHS) on imposing certain requirements.

Principal Author: Ron Peters (H)

Status: Passed House 85-8 on 03-13-06. Referred to Senate Appropriations Committee on 03-20-06.

Status Date: 04-04-06

Traumatic Brain Injury - HB 2581 - Provides funding for traumatic brain injury.

Principal Author: Tad Jones (H) and Bernest Cain (S)

Status: Passed House 85-4 on 03-16-06. Referred to Senate Appropriations Committee on 03-23-06.

Status Date: 04-04-06

Group Homes - HB 2592 - Relates to the Group Homes for Persons with Developmental or Physical Disabilities Act; and modifies/clarifies certain powers of OKDHS.

Principal Author: Ron Peters (H) and Bernest Cain (S)

Status: Passed House 98-0 on 03-14-06. Re-referred to Senate Health and Human Resources Committee on 03-29-06.

Status Date: 04-04-06

Medicaid Reform Act - HB 2842 - Enacts the Medicaid Reform Act of 2006, and provides powers, duties and responsibilities of the Oklahoma Health Care Authority.

Principal Author: Kris Steele (H) and Brian Crain (S)

Status: Passed House 81-17 on 03-13-06. Referred to Senate Appropriations Committee on 04-03-06.

Status Date: 04-04-06

Punitive Damages - HB 3040 - Provides an exemption from punitive damages for certain organizations.

Principal Author: Chris Hastings (H) and Scott Pruitt (S)

Status: Passed in House 54-37 on 03-14-06.

Referred to Senate Judiciary Committee on 03-20-06.

Status Date: 04-04-06

Hate Crimes - SB 1840 - Clarifies language relating to hate crimes and increases penalties. (It would include people with disabilities.)

Principal Author: Constance Johnson (S) and Jabar Shumate (H)

Status: Passed Senate 33-13 on 03-13-06. Referred to House Corrections Committee on 03-21-06.

Status Date: 04-04-06

Poor Persons - SB 2017 - Extends the Strategic Planning Committee on the Olmstead Decision; and creates the Oklahoma Persons with Disabilities Transition Act.

Principal Author: Constance Johnson (S) and Thad Balkman (H)

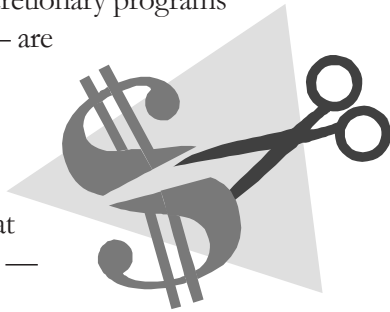
Status: Passed Senate 43-0 on 03-09-06. Passed House Health Appropriations Subcommittee on 03-29-06.

Status Date: 04-04-06

Bush FY07 Budget Cuts Target Discretionary Programs, Have Negative Impact on States

The following is excerpted from "Program Cuts in the President's Budget: Cuts Grow Deeper Over Time and Will Hit States Hard," by James Horney, Arloc Sherman and Sharon Parrott, published in February by the Center on Budget and Policy Priorities (CBPP). To read the full text, go to <http://www.cbpp.org/2-23-06bud.htm>.

The president's budget proposes substantial cuts in funding for domestic discretionary programs over the next five years. The budget specifies the funding level for each program in 2007, but the levels for specific programs for years after 2007 — the years in which the overall level of reductions in domestic discretionary programs would grow substantially — are hard to discern from the budget documents the Administration released publicly. This analysis uses administration materials that were not widely distributed — including a key Office of Management and Budget (OMB) computer run that apparently was released inadvertently — to show the multi-year impact of the proposed cuts on a number of important domestic discretionary programs.



This analysis also examines the effect that the cuts in funding for domestic programs the president has proposed for 2007 through 2011 would have state by state. Many domestic programs have long been operated efficiently through a system of grants-in-aid to state and local governments. Nearly half of the overall reduction in domestic discretionary funding proposed by the president for 2007 would come from such grants-in-aid. Implementing these reductions would force states to reduce the services they provide or increase their own taxes to make up for the federal costs being shifted to them.

If the president's plan were implemented, total funding for domestic discretionary programs (annually appropriated programs outside of defense and international affairs) for the next five years (2007 through 2011) would be reduced by \$183 billion below the OMB baseline (i.e., below the 2006 funding level, adjusted for inflation). The bulk of the cuts — \$167 billion — would occur in years after 2007. By 2011, the cut would be almost \$57 billion (13 percent) below the amount needed to keep pace with inflation. (See chart at right.)

The real impact of the president's proposals, however, can be seen only by looking at the proposed levels of funding for individual programs. In this analysis, we

compare the funding levels that the budget proposes for a number of domestic discretionary programs for 2007 through 2011 with the amounts needed to maintain the 2006 level of funding for each such program, adjusted only to keep pace with inflation. (The proposed funding levels for 2008-2011 are taken from the OMB computer run that apparently was released by mistake.)

Substantial cuts are proposed for many important domestic discretionary programs in coming years, including programs in areas that the president describes as high priority. Even some programs that the president appears to believe are inadequately funded in 2006 — programs that he proposes to increase in 2007 — would be cut below the 2006 level adjusted for inflation in subsequent years, in order to produce the overall level of domestic discretionary funding reductions that the budget calls for.

Table 1
Selected Programs Facing Cuts in the President's Budget

AGENCY Program	Fiscal Year 2007			Fiscal Year 2011			Cut over 5 years (millions)
	Proposed funding level (millions)	Change relative to baseline (millions)	Percent change from baseline	Proposed funding level (millions)	Change relative to baseline (millions)	Percent change from baseline	
DEPARTMENT OF AGRICULTURE							
Food Safety Inspection Service	\$863	\$1	0.1%	\$837	-\$171	-17.0%	-\$455
Special Supplemental Nutrition Program for Women Infants and Children	\$5,200	-\$86	-1.6%	\$4,986	-\$765	-13.3%	-\$2,454
Rural Development	\$772	-\$129	-14.3%	\$740	-\$257	-25.8%	-\$1,013
DEPARTMENT OF EDUCATION							
Adult Basic and Literacy Education*	\$580	-\$13	-2.1%	\$557	-\$88	-13.6%	-\$286
Impact Aid	\$1,228	-\$27	-2.2%	\$1,178	-\$188	-13.8%	-\$613
K-12 Education for the Disadvantaged*	\$16,470	\$1,671	11.3%	\$15,794	-\$297	-1.8%	\$2,418
Pell Grants	\$12,986	-\$40	0.0%	\$12,454	-\$1,716	-12.1%	-\$5,201
Special Education*	\$11,697	-\$211	-1.8%	\$11,244	-\$1,704	-13.2%	-\$5,471
DEPARTMENT OF ENERGY							
Energy Conservation	\$662	-\$137	-17.1%	\$635	-\$240	-27.4%	-\$984
ENVIRONMENTAL PROTECTION AGENCY							
State and Tribal Assistance Grants	\$2,797	-\$420	-13.1%	\$2,684	-\$816	-23.3%	-\$3,265
FEDERAL AVIATION ADMINISTRATION							
Operations	\$2,921	\$245	9.2%	\$2,837	-\$73	-2.5%	\$254
DEPARTMENT OF HEALTH AND HUMAN SERVICES							
Child Care and Dev. Block Grant	\$2,062	-\$45	-2.1%	\$1,977	-\$315	-13.7%	-\$1,029
Children and Family Services* (excluding Community Services Block Grant)	\$8,239	-\$139	-1.7%	\$7,901	-\$1,226	-13.4%	-\$3,923
Health Resources and Services Administration	\$6,203	-\$466	-7.0%	\$6,326	-\$971	-13.3%	-\$3,564
Indian Health Facilities	\$347	-\$15	-4.1%	\$333	-\$72	-17.7%	-\$237
Indian Health Services	\$2,823	\$57	2.1%	\$2,712	-\$383	-12.4%	-\$985
Low Income Home Energy Assistance	\$2,782	\$573	25.9%	\$1,709	-\$693	-28.9%	-\$1,911
National Institutes of Health	\$28,428	-\$642	-2.2%	\$27,774	-\$4,038	-12.7%	-\$13,356
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT							
Homeless Assistance	\$1,536	\$180	13.3%	\$1,473	-\$2	-0.1%	\$348
Housing for Persons with Disabilities	\$119	-\$124	-50.9%	\$114	-\$152	-57.2%	-\$697
Housing for the Elderly	\$546	-\$206	-27.4%	\$524	-\$302	-36.5%	-\$1,302
DEPARTMENT OF JUSTICE							
Community Oriented Policing Services	-\$26	-\$433	-106.4%	\$98	-\$346	-77.9%	-\$1,761
DEPARTMENT OF LABOR							
Employment & Training Services and Other labor services*	\$7,595	-\$885	-10.4%	\$7,367	-\$1,995	-21.3%	-\$7,570
DEPARTMENT OF VETERANS AFFAIRS							
Veterans Medical Care and Hospital Services	\$30,726	\$2,264	8.0%	\$29,501	-\$3,130	-9.6%	-\$3,559

Note: Cuts are measured relative to the Office of Management and Budget current services baseline projection of the amount of funding needed in 2008 through 2011 to provide the same level of funding as in fiscal year 2006, adjusted for inflation.

* Adjusted to reflect the method of funding some education and other programs by program year (with advance appropriations and with regular appropriations that first become available at the beginning of a school year, more than half way through the fiscal year).

The cuts in domestic discretionary programs proposed by the president would have a substantial impact on state and local governments. (See Oklahoma Impact

Please see Budget Impact, pg. 7

Budget Impact, from pg. 6

Chart below.) Many of the programs that the president proposes to cut are administered by state and local governments, with funding provided through grants-in-aid to those governments. In 2007, some \$7.5 billion of the \$16 billion reduction in domestic discretionary funding proposed by the president (relative to the 2006 level of funding, adjusted for inflation) would come from grants-in-aid to state and local governments. It is likely that cuts in those grants-in-aid would represent something close to the same share of the total cuts in domestic discretionary funding in 2008 through 2011 as they do in 2007 — 47 percent — but information provided by the administration does not allow a calculation of the share for years after 2007.

Impact of the Proposed FY07-011 Federal Budget Cuts on Oklahoma

	Category	Cuts in 2007 in millions	Cuts in 2011 in millions	5-Year Cuts (2007-2011) in millions
Elementary and Secondary Education	K-12 Total		-\$45.8	-\$117.8
	Education for the Disadvantaged		-\$3.2	+\$26.4
	Special Education		-\$21.2	-\$68.1
	School Improvement Programs		-\$14.4	-\$53.3
	Impact Aid		-\$7.0	-\$22.9
Vocational and Adult Education		-\$18.7	-\$21.2	-\$100.1
WIC Nutrition Program		-\$1.18	-\$10.48	-\$33.6
Child Care and Development Block Grant (Discretionary)		-\$0.68	-\$4.77	-\$15.6
Children and Family Services	Community Services Block Grant (CSBG)	-\$7.7	-\$8.4	-\$40.4
	Total C&FS (includes CSBG, Head Start, and Services for Abused and Neglected Children)	-\$9.3	-\$21.8	-\$83.3
Repair of Public Housing		-\$2.5	-\$5.0	-\$19.9
Community Development Block Grant – Formula Grants Only		-\$6.7	-\$10.5	-\$44.0
Low Income Home Energy Assistance			-\$4.98	-\$13.7
EPA Clean Water/Drinking Water Revolving Funds		-\$2.0	-\$3.8	-\$15.3
Social Services Block Grant		-\$6.0		

Cuts proposed by the president in these grant-in-aid and other programs would put additional pressure on state and local government budgets. Reductions in real (inflation-adjusted) funding from the federal government would force states to decide between reducing the

important human and other services they are providing with these federal funds or raising their own taxes or cutting other state and local programs to make up for the lost federal funding.

While state and local governments are in better fiscal health now than they were a few years ago, they generally still face problems providing the resources needed to meet growing state needs for education, transportation, and health care and are in no better position to bear the costs of the programs the president proposes to cut than is the federal government.

The following analyzes the impact on proposed cuts in selected programs that may impact persons with disabilities and, where available, cuts specific to Oklahoma.

Special Education

This program provides formula grants to states to help them pay the additional costs of providing special education and related services to children with disabilities aged 3 through 21. As represented in the OMB documents, the program is slated to be cut in 2007 by \$735 million below the 2006 funding level. According to the Department of Education, however, the program will increase in 2007 by \$45 million above the 2006 level. This disconnect results from the fact that the Department of Education measures funding levels by program year (or academic year), since most of the program funding provided for a fiscal year does not actually become available until July 1 (nine months into the fiscal year), and much of that funding is not used until the following fiscal year.

No matter how you measure it, however, the president's budget plans to cut funding for special education in 2008 through 2011. Using the fiscal-year baseline, by 2011 the program would be cut 12 percent below the baseline. Over the 2007 through 2011 period, the president proposes to cut funding for this program by more than \$5.6 billion. Using the department's approach to measuring funding levels does not significantly change the estimate of the cut. Under this approach, proposed funding for 2011 would be 13 percent below the current level, adjusted for inflation, and total five-year reductions would be just under \$5.5 billion.

Projected Cuts to Special Education for Oklahoma
Under the President's FY07 Budget Plan:
– \$21.2 million

Low-Income Home Energy Assistance Program (LIHEAP)

The LIHEAP program helps low-income households pay for their home energy needs. Funds are

Please see Budget Impact, pg. 8

Budget Impact, from pg. 7

distributed by formula to states, with most going to cold-weather states in the winter so that low income households will not lose their heat. About one-seventh of the eligible households apply for and receive assistance. This year, the program received \$2.16 billion in funding, one percent lower than the 2005 level. This level is especially inadequate given the recent spike in home energy prices (generally of natural gas, propane, and heating oil). The president proposes to increase LIHEAP funding in 2007, bringing 2007 LIHEAP funding to a level \$573 million above OMB's baseline projection. But in 2008, the administration proposes to drop funding sharply, to about \$1.7 billion, and to leave it there for the rest of the decade. As a result, by 2011 funding for the program would drop \$693 million — or 29 percent — below current levels, adjusted for inflation. This would likely mean that fewer low income households would receive adequate help covering their home heating and cooling costs.

Projected Cuts to LIHEAP for Oklahoma Under the President's FY07 Budget Plan: – **\$13.7 million**
Cut in 2001: – **\$4.98 million**

Section 202 Supportive Housing for the Elderly Program

This program provides capital grants and operating subsidies to non-profit institutions that develop and operate affordable housing for elderly people with low incomes. In December 2005, HUD released a report showing that 1.1 million very-low-income elderly households have “worst case” housing needs — i.e., they either pay more than 50 percent of their income for housing costs or live in severely substandard housing — and receive no federal assistance. The budget proposes large cuts in this program in every year. By 2011, funding would be cut 37 percent below the level of funding provided in 2006, adjusted for inflation. As a result of the proposed funding cuts, the number of new housing units produced by the program would be reduced by 43 percent (2,000 units) in 2007 alone, with additional losses accumulating in the following years.

Projected Cuts to Section 202 for Oklahoma Under the President's FY07 Budget Plan: **Not reported**

Section 811 Supportive Housing for Persons with Disabilities

This program provides rental assistance to people with disabilities to help them live in housing that offers supportive services they need to live independently. The

program also provides capital advances and operating subsidies to non-profit organizations that develop and operate affordable supportive housing for people with disabilities. Most people who receive Section 811 assistance live on extremely low incomes, such as income from the Supplemental Security Income program (which raises the incomes of poor elderly people and people with disabilities only to about 75 percent of the poverty line for single individuals and 90 percent of the poverty line for couples). According to a HUD report released in December 2005, some 510,000 disabled households have severe affordable housing needs but receive no federal housing assistance.

The budget proposes to slash funding for this program by more than half (relative to the 2006 level of funding, adjusted for inflation) in each of the next five years. Funding for the production and operation of new supportive housing units (which represents 65 percent of the total funding for the account in 2006) would be hit hardest, dropping from \$154 million in 2006 to only \$28 million in 2007, a reduction of 82 percent. With further funding reductions in the account proposed for 2008 through 2011, the Administration's proposal would substantially undercut the effort to increase the supply of housing that low-income people with serious disabilities can afford.

Projected Cuts to Section 811 for Oklahoma Under the President's FY07 Budget Plan : **Not reported**

Source: Program Cuts in the President's Budget, published by CBPP 2-23-2006

Meeting on Self-Directed Services in Oklahoma

The Center for Learning and Leadership, in partnership with the Developmental Disabilities Services Division (DDSD), has developed a Self-Directed Services Training Module and is conducting two community meetings to review the module. The meetings are an opportunity for you to learn about this new service delivery and make suggestions about the training.

DATE: Thursday, April 20, 2006

TIMES: Session 1: 10:00 a.m. – 1:00 p.m.

Session 2: 5:30 – 8:00 p.m.

PLACE: Community Service Council of Greater Tulsa,
16 East 16th Street (16th & Baltimore Ave.), Tulsa

Sandwiches and soft drinks will be provided at both sessions. Childcare will **NOT** be provided for this meeting.

To RSVP or for more information, call Doris Erhart at the Center for Learning and Leadership, 1-800-627-6827, Ext. 41006.

the **Shot** **IN** **the** **Dark**
Golf Tournament 11th Anniversary

Everyone's Favorite Starlight Scramble is Back!

Mark your calendars now for the
**11th Annual TARC
Shot in the Dark Golf
Tournament**

Friday, May 5, 2006

**@ LaFortune Championship Course in
Tulsa**

Many sponsorship levels include golfer registration!

To inquire about playing in or sponsoring
this one-of-a-kind event, contact Allison Geary
at TARC, 918-582-8272
or (outside Tulsa) 800-688-8272.



AGRE Project Programs Set for Autism Awareness Month

Families with two or more children in the same generation, diagnosed with Asperger's Disorder, autism, or pervasive development disorder are qualified to participate in the Autism Genetic Research Exchange (AGRE) project. The AGRE Project has been created by Cure Autism Now to advance genetic research in autism spectrum disorders.



Participating families will be visited by a team from the AGRE Project, which will collect data and perform a comprehensive assessment. The team includes a neurologist, a phlebotomist, and a clinical research associate.

Families seeking more information are invited to attend a pair of information sessions on Monday, April 24, 2006, at the Hardesty Regional Library, Redbud Auditorium, 8316 E. 93rd Street South in Tulsa. Both events are free. No child care is provided for either event. Event details are described in the box below.

Mon., April 24 – 6:00-7:00 p.m.

**Information meeting for families interested
in the AGRE Project**

Mon., April 24 – 7:00-8:00 p.m.

**General information and Q&A opportunity
with local professionals in the field of autism**

April 17 is Deaf and Hard of Hearing Awareness Day at Capitol

The Oklahoma Capitol Rotunda (4th floor) is the site of the Deaf and Hard of Hearing Awareness Day on Monday, April 17, 2006 from 9:30 a.m. to 3:00 p.m. The event features guest speakers and performances provided by schools with deaf programs, and a professional acting production that includes deaf and hard of hearing actors will also be performing. There will be booth displays by various organizations and a special booth featuring deaf or hard of hearing artists.

Organizers encourage all local and state organizations, schools, deaf clubs, and interested individuals to attend. For more information, contact Coalition chair, Glenna Cooper at gcooper@c-s-d.org, 918-835-7445 TTY/V or Videophone: csdtulsa.csd.tv



TULSA ADVOCATES FOR THE RIGHTS OF CITIZENS WITH DEVELOPMENTAL DISABILITIES

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The TARC newsletter is published monthly by the Tulsa Advocates for the Rights of Citizens With Developmental Disabilities, Inc., to inform readers about issues and legislative action that affect adults, children, their families, and the dedicated people who work with this challenging population. The contents do not necessarily represent the official position of TARC.

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Advocacy Has the Power to Make a Difference



Hispanic Parents Support Group

El Grupo Hispano de Apoyo a Padres de Familia

**Next Meeting: Mon., April 17th
7 to 8:30 p.m.**

Martin Regional Library, 2601 S. Garnett
For information, call:
Zaida Castro-Kepford, 918-582-8272

Asperger's Syndrome S.O.S.

A project of Tulsa Public Schools
in conjunction with TARC

S.O.S. is for parents and their school-age children with Asperger's Syndrome. It is a social group for the kids and a support group for the parents, both of which are open to all families — not just those in Tulsa Public Schools.

Next Meeting:

Thurs., May 4, 2006 – 6:30 p.m.

Remington Elementary School, 2524 W. 53rd St.

To sign up, call Stephanie Orban or Lisa Rutledge at 746-8880. For more information, contact Sherilyn Walton at TARC, 582-8272.



TULSA PEOPLE FIRST

TPF Bake Sale:

Friday, May 5

@ Shot in the Dark
Golf Tournament

Next Meeting:

Tuesday, May 9

Dinner – 6:00 p.m.

Meeting – 7:00 p.m.

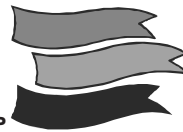
For information, call
Aaron Brown, 582-8272

Connections Asperger's Group

Next Meeting: Wed., April 26, 2006 – 4:30 p.m.

The "Connections" Asperger's Group is a social skills group for children and adolescents with Asperger Syndrome. The group meets monthly. Contact Sherilyn Walton, TARC family support coordinator, 918-582-8272 for information.

MOMS & DADS SUPPORT GROUP



Next Meeting: Thurs.,

April 27, 2006

7:00 - 9:00 PM

Kirk of the Hills Presbyterian Church, 4102 E. 61st St., Room B-8
Contact: Sherilyn Walton, 918-582-8272 • No childcare provided

The mission of the Moms & Dads Support Group is to nurture and support families whose children have a developmental disability, to encourage positive strategies in dealing with challenges, and to share in the joy of raising our children.



METRO TULSA CIVITAN CLUB

14th Annual Pancake Breakfast
\$4/person, Under 3 Free — All You Can Eat!



Sat., April 15, 2006 • 8 a.m. - Noon • Southwood Baptist Church • 4020 S. 102nd E. Ave.

PROCEEDS BENEFIT THE MENTAL HEALTH ASSOCIATION IN TULSA (MHAT) AND TARC.