



State of Wisconsin
Council on Physical Disabilities

ANNUAL REPORT

July 1, 2003 through June 30, 2004

Wisconsin Council on Physical Disabilities
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Background

Origin

The Wisconsin Council on Physical Disabilities was created by the state legislature in 1989 with the passage of Act 202. During the report period, the Council was administratively attached to the Office for Persons with Physical Disabilities (OPPD) in the Division of Disability and Elder Services (DDES), Department of Health and Family Services (DHFS).

Mission

The Council's work is guided by the five major tasks it was given by the state legislature in section 46.29 of the state statutes.

- 1) Develop and implement a state plan for services to people with physical disabilities.
- 2) Advise state agencies on programs and policies affecting people with physical disabilities.
- 3) Promote public awareness of the abilities of people with physical disabilities and the barriers they face.
- 4) Encourage the development of programs and policies to prevent physical disabilities.
- 5) Submit recommendations in an annual report to the state legislature.

Vision Statement

The Council envisions a world where all persons with physical disabilities have access to the same life choices and opportunities as any other Wisconsin citizen.

It is the Council's philosophy to promote the inclusion and use of technology which benefits the lives of people with physical disabilities; to encourage the development and use of programs and policies that enable citizens with physical disabilities to determine and direct their lives; to promote initiatives that encourage people with physical disabilities to participate in the workforce to their maximum capacity; and to advocate on behalf of citizens with physical disabilities to make policies and programs more responsive to their needs.

Definition of Physical Disability

Wisconsin Statute 15.197 (4) defines a physical disability as *a physical condition, including an anatomical loss or musculoskeletal, neurological, respiratory or cardiovascular impairment, which results from injury, disease or congenital disorder and which significantly interferes with or significantly limits at least one of the following major life activities of a person: self-care; walking; mobility other than walking; breathing; employment; performance of manual tasks unrelated to employment; receptive and expressive language; education; or capacity for independent living.*

Members

The Council is comprised of 14 members appointed by the Governor for staggered three-year terms. One Council position is reserved for the Governor's representative, and the rest are unpaid volunteers. At least six members must be people with physical disabilities and at least one member must be a service provider to people with physical disabilities.

During the report period, the volunteer members serving full or partial terms were: **Jon Baltmanis** (Waupaca), **JorJan Borlin** (Dodgeville), **Christine Duranceau** (Rothschild), **Jeff Fox** (Gordon), **Denise Gilchrist** (Eau Claire), **Marge Liberski-Aznoe** (Green Bay), **Virginia Lukken** (Mount Horeb), **John Meissner** (Little Chute), **Linda Rowley** (Mineral Point), **Karen Secor** (Montreal), **Jackie Stenberg** (Superior), **Pamela Wilson** (Madison) and **Joanne Zimmerman** (Milwaukee).

Budget

From the appropriation under Wisconsin Statute 20.435 (6) (a), the Department of Health and Family Services may allocate up to \$10,000 in each fiscal year for operation of the Council on Physical Disabilities.

In state fiscal year 2004 (July 1, 2003 through June 30, 2004), the Council used its budget of \$9,121 to: (a) cover the cost of hotel rooms, meals, mileage and Sign Language interpreters for members attending quarterly meetings; (b) reimburse members for travel to disability workgroup meetings in which the Council has an interest; and (c) participate as a member of the Survival Coalition of Wisconsin Disability Groups.

The Council continues to advocate for the inclusion of its constituency whenever physical disability issues are discussed by state government. For that to be possible, adequate budget resources must be available to fund the accommodations necessary for people with physical disabilities to participate.

State Plan Recommendations

During the report period, the Council fulfilled one portion of its legislative mandate by completing a State Plan for People with Physical Disabilities. The plan's general recommendations are shown below. The entire document is available on the Council's website at: www.pdcouncil.state.wi.us/resources.htm.

Housing

- Increased accessibility by people with physical disabilities to/from all buildings in Wisconsin.
- Choice of integrated, community living for all people with physical disabilities.
- Choice of home ownership for people with physical disabilities.

Long-Term Support

- Access to accurate and current information, counseling on eligibility, assistance with application procedures, and advocacy for appeals for public and private benefit programs.
- Self-direction in all choices about services and supports needed, with education provided regarding options available to consumers.
- No waiting lists for community services.
- Entitlement to a comprehensive care system (e.g., Family Care) that supports home and community living for people with physical disabilities.
- Statewide respite care in homes and communities.
- Statewide access to and funding for assistive technology (services, devices, consumer training and maintenance) as needed for individuals of any age.
- Work incentives and training for realistic employment opportunities with living wages and health benefits.

Transportation

- Safe, reliable, cost effective and accessible transportation for people with physical disabilities.
- Adequate parking for people with physical disabilities and public awareness of the need.
- Decrease/eliminate the need for transportation (especially to and from work) by using technology (e.g., use of telecommuting to allow people to work at home).

Emergency Preparedness

- Include the needs of people with physical disabilities in plans for emergencies and disasters.

State Legislation Recommendations

The Council's top priority for the year was to review and make recommendations about legislative proposals that would affect people with physical disabilities. These positions were conveyed to legislators through letters, public hearing testimony and personal contact. This information was shared with the general public through the Council's web site at: www.pdcouncil.state.wi.us/legislation2004.htm. The Council offered recommendations on the following bills.

- **Opposed Assembly Joint Resolution 55** which would amend the state constitution to place a cap on taxing and spending that could not be exceeded unless a majority of state voters approve a referendum. The resolution is commonly referred to as the Taxpayer Bill of Rights, or TABOR.
- **Opposed Assembly Bill 180** which would require school buses to use hazard lights rather than warning lights when employing a ramp or vertical power lift to load or unload a child with a physical disability.
- **Supported Assembly Bill 318 and Substitute Amendment 1 to Senate Bill 130** to allow individuals who have been discriminated against in employment to recover compensatory and punitive damages in circuit court.
- **Supported Assembly Bill 343 and Senate Bill 163** to establish a clearinghouse for information about special education transition services and vocational opportunities that are available in each county.
- **Supported Assembly Bill 920** to create a program to help Medical Assistance nursing home residents who want to relocate into the community.
- **Supported Senate Bill 114** to extend prescription drug assistance to people with disabilities who meet eligibility requirements.

State and Federal Policy Recommendations

Over the past year, the Council on Physical Disabilities supported the following policies and initiatives to promote independent living and accessibility in Wisconsin.

- The Council recommended that the Wisconsin Housing and Economic Development Authority (WHEDA) increase the availability of affordable and visitable¹ housing in the state; invest in low-rent projects for people who depend on disability benefits; and continue to support housing that integrates all types of people, including people with disabilities.
- The Council recommended that the state Department of Health and Family Services establish a reasonable accommodations fund to pay disability-related expenses such as Sign Language interpreting costs for meetings sponsored by the Department.
- The Council opposed the 75% rule for inpatient rehabilitation facilities as proposed by the Centers for Medicare and Medicaid Services. The Council felt that the proposed rule would severely limit the services available to people whose physical disability does not fit one of the ten conditions listed in the rule.
- The Council submitted recommendations for the federal Transportation Equity Act, including: increased rural transportation options for people with disabilities; increased opportunities for people with disabilities to rent or purchase accessible vehicles and to modify vehicles currently owned; and increased accessibility for sidewalks and road crossings.

¹ *Visitability* is a growing trend nationwide. The term refers to single-family housing designed in such a way that people with disabilities can visit. Basic requirements include at least one no-step entrance; doors and hallways wide enough to navigate through; and a bathroom big enough to enter in a wheelchair and close the door.

Accomplishments

During the report period, the Council completed several projects and participated in activities that promoted the interests of people with physical disabilities.

- The Council completed a new State Plan for People with Physical Disabilities.
- The Council sent a representative to participate as a member of the Survival Coalition on Wisconsin Disability Groups.
- The Council provided information to the public through its website, particularly information about accessible voting procedures.
- The Chairperson served as the Council's liaison to the Governor's Committee for People with Disabilities.
- The Council established criteria, solicited nominations and selected the recipient of a \$500 grant donated anonymously for a student with a disability.
- The Council sent a representative to participate as a member of the workgroup revising Chapter 51.437 of the statutes to enhance human services for people with physical disabilities.
- The Council provided a letter of support for extension of the WisLoan program, which offers low-interest loans for people with disabilities to purchase assistive technology.²

² Assistive technology is any product or device that enables people with disabilities to improve their independence and quality of life. These items can be commercially-made equipment, common products that have been modified to serve a specific need, or custom-made devices.

- To promote the expansion of the Family Care program, the Council sent a representative to serve on the Committee on Direct Care Workforce Issues of the Wisconsin Council on Long Term Care Reform.

- The Council provided a letter of support for a grant to study the feasibility of LIFE Accounts for Medicaid recipients. The program would allow individuals to accumulate whatever savings they achieve by self-directing their care, and then utilize those funds for the purchase of assistive technology or home modifications.