



RIGHTS REPORTER

protecting and promoting the rights of Kentuckians with disabilities

Summer 2017

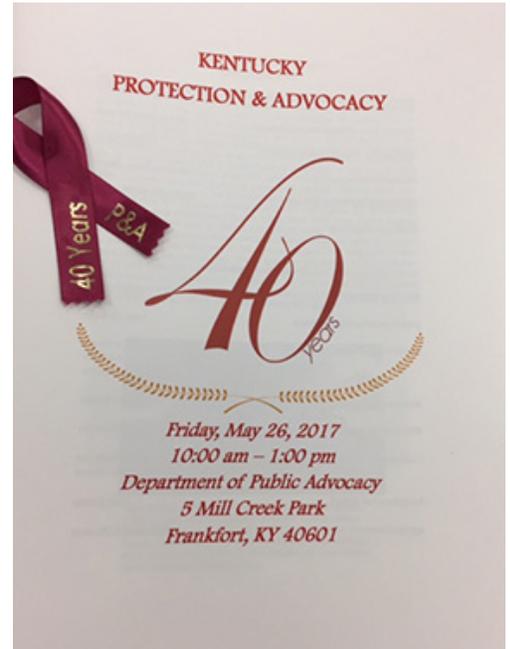
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2017 Annual Meeting

Kentucky Protection and Advocacy celebrated its 40th anniversary at the annual meeting of the PAIMI Advisory Council and the PADD Advisory Board on May 26, 2017. On September 13, 1977 an executive order was signed establishing a protection and advocacy system for Kentucky to protect and promote the rights of persons with developmental disabilities and to have authority to pursue legal, administrative, and other appropriate remedies to ensure the protection of the rights of individuals with developmental disabilities who were receiving treatment, services and habilitation within Kentucky.

The meeting was not only a time to reflect on the accomplishments of P&A and the disability rights movement over the past 40 years but also a reminder to continue the steadfast movement to ensure the security of the civil liberties of Kentuckians with disabilities in the future.



Agenda for the 40th Annual Meeting of the PADD Advisory Board and the PAIMI Advisory Council



Each year, Kentucky P&A presents two awards at the annual meeting. The recipient of the Jean Gossick award was presented to Jim Chesser. Nancy and Jim Chesser accepted the award on behalf of their son, Jim, who passed away earlier in the year. This award honors an individual who is a strong advocate to ensure individuals with disabilities receive integrated community services and supports.



Jean Gossick Award recipients, Nancy and Roger Chesser with P&A Director Jeff Edwards

The second award, the Billy Cox/Victoria Scott Self-Advocacy Award, honors a strong self-advocate and a person who advocates for the rights of individuals to make their own choices about how to live their lives. P&A was pleased to present this award to Kelly Knoop for her commitment and passion as a self-advocate.



Billy Cox/Victoria Scott Self-Advocacy Award recipient, Kelly Knoop with P&A Director Jeff Edwards

Several former P&A staff attended the meeting: Melissa Mays, Jan Powe, Rick Cain, current staff Susan Abbott, current P&A Director, Jeff Edwards, Bill Stewart and Debbie Foy





BOTTOM DOLLARS

An Original Film
About employment
for all by
Rooted in Rights



Bottom Dollars is an hour-long documentary that exposes segregated workplaces and low wages often paid to people with disabilities. Through personal stories and expert interviews, the film presents a vision for better alternatives that promote community inclusion, equal opportunity, and fair wages.

FREE screening and panel discussion

October 26, 2017

7:00 PM

Holiday Inn

1717 Airport Exchange Blvd.

Erlanger, KY



Presented by

The Commonwealth Council on Developmental Disabilities

Kentucky Protection and Advocacy

UK-Human Development Institute



Learn more at www.rootedinrights.org

Future Bottom Dollars Showings:

*October 26, 2017- National Council on Disability Rights Meeting- The Galt House Hotel in Louisville, KY- Time TBA

*October 25, 2017 at The Lyric Theatre in Lexington at TBA.

Systemic Advocacy: P&A Provides Formal Comment on Department of Corrections Policy by Rebekah Cotton, staff attorney



Kentucky Protection and Advocacy (P&A) receives letters and phone calls from prison inmates with disabilities statewide about many issues including a lack of access to mental health or medical treatment, a lack of physical access to the prison facility for inmates with physical disabilities and excessive segregation time. Advocacy for individual inmates is important because P&A learns about the system, but without systemic advocacy problematic patterns will repeat. One of the ways that P&A advocates systemically is by review of and formal comment on policies

In the last two years, P&A provided formal comment through the formal regulatory process to the Kentucky Department of Corrections (DOC) on many policies which impact inmates with disabilities. Some of those policies were the new Behavioral Health Services policy, the Special Management Unit policy, Rule Violations and Penalties policy, Transfer policy and the Grievance policy which includes medical grievances. DOC policies are available to the public on the DOC website at <http://corrections.ky.gov> under the community information tab. P&A's formal comments and the DOC's responses in the form of a Statement of Consideration are public records and can be requested at Justice.RegContact@ky.gov.

P&A continues to advocate for systemic change within DOC. Many of our policy concerns include the segregation of inmates with disabilities for 23 hours per day, segregation of inmates with mental health concerns who self-harm, excessive restraint, insufficient mental health treatment staffing and services, unaddressed medical grievances and severe limits to current program availability. Although many of the comments provided by P&A were not implemented, some positive changes have occurred including the marked decrease of segregation time given for rule violations and changes to the classification and treatment team review processes.

In addition to formal comment on DOC policy, P&A has in some instances provided comment to individual prison policy amendments. P&A provided extensive comments concerning Special Management at the Kentucky State Reformatory (KSR) in Lagrange where the Corrections Psychiatric Treatment Unit is located. In addition, P&A reviewed policy amendments filed on Special Management Units and other disability related topics for Northpoint Training Center, Bell County Forestry Camp and Green River Correctional Center and will provide comments when appropriate.

It is highly important for disability advocates to understand that DOC is the largest mental health provider in Kentucky. Many inmates in the general population and in segregation have intellectual disabilities, brain injuries and physical disabilities. Most people who are incarcerated will return to their communities. Nationally, prison reform efforts cross the political aisle because prison populations have soured to alarming rates. There is also a national effort to raise awareness and prevent the harmful and lasting effects of isolation in segregation cells. Through formal comments and considerations, P&A advocates and DOC responds, facilitating an important dialogue about making sure that Kentucky policy protects the rights of inmates with disabilities.

Supported Decision-Making: Everyone has the Right to Make Choices *by Jonathan Martinis, Laura Smith-Butler, and Camille Collins



* This article originally appeared in the Fall 2015 edition of the Rights Reporter. On July 1, 2017, Kentucky P&A, the Burton Blatt Institute, and the UK-Human Development Institute launched “My Choice Kentucky: Exploring Supported Decision-Making in the Commonwealth”. The goal of this project, funded through the UK-HDI Fund for Excellence, is to work with Kentuckians with disabilities and their support teams to develop and implement SDM-based supports and services that will help them modify or terminate unnecessary guardianship. For additional information about this project, please contact Laura Smith-Butler at laura.smith2@uky.edu or 859-218-5959.

How would you feel if you had no say in where you live? Or where you work? Or who you spend time with? Or what you can buy and spend money on? That’s what can happen to older adults and people with disabilities when someone else has the power to make decisions for them, like when they’re put in a guardianship.

Supported Decision-Making is a way people can make their own decisions and stay in charge of their lives, while receiving any help they need to do so. Really, Supported Decision-Making is just a fancy way of describing how we all make choices.

Because we all need help making decisions, every single day. Think about it: when the doctor says you have a “somatic injury” or a “brachial obstruction,” or something else that sounds like a foreign language, what do you do? You probably ask the doctor to speak plain English or ask a friend, family member, or someone else to help you cut through the jargon so you can understand your choices and make a good decision.

When you do that, you’re using Supported Decision-Making. You’re getting the help you need and want so you can make the decisions you have to make. Older adults and people with disabilities can make decisions the same way. Some people may need different types of help or more help than you. But that doesn’t mean they can’t make their own decisions. It just means they make their decisions using the help they need and want. Just like you.

It also means that in almost all cases, people who use Supported Decision-Making do not need guardians or people to make decisions for them or instead of them. The National Resource Center for Supported Decision-Making can help you find information on Supported Decision-Making and other alternatives to guardianship, access Supported Decision-Making agreements and other legal forms, connect you with people and organizations that may be able to help you, and answer your questions. Please visit our website at www.SupportedDecisionMaking.Org for more information or to connect with us.

Jonathan Martinis is the Senior Director for Law and Policy for the Burton Blatt Institute at Syracuse University and co-Project Director of the National Resource Center for Supported Decision-Making. Laura Smith-Butler is a Research Policy Administrator for UK-HDI. Camille Collins is the Protection and Advocacy for Individuals with Developmental Disabilities Program Coordinator at KY P&A.



Farewell to Amy Marlatt by Beth Metzger

Although you may not have met Advocate Amy Marlatt face-to-face, you have come into contact with her work. Besides being an advocate on the Information, Training, & Outreach Team and the Adult Team, she has been P&A's resident artist and designer for the past 12 years. Every publication, annual report, and website design passed through her capable mind and hands.

Like many artists, Amy led a bohemian life – living in a number of places and holding a wide variety of jobs to pay the bills. All of this changed on July 9, 1986. From that day on, art was pushed to being her second love, being replaced by her son Sam who has multiple disabilities. He was the reason to get focused – stop moving around, get a degree, love this child unconditionally and learn how to fight fiercely for what is right.

Amy became an advocate through the FIND program at the then-named Louisville Council on Mental Retardation. There she trained other parents how to effectively advocate for their children to receive special education services. P&A was able to lure her away in 2005. On August 1, Amy will say farewell to P&A. Retirement will enable her to devote more time on her two loves. She will audit art classes at the University of Louisville. More importantly, Amy will be with Sam as much as he will let her into his independent life.



Welcome Rachel Petit by Deb Davidson

On June 1st, P&A welcomed Rachel Petit as the newest advocate for the Adult Team. Rachel has a Bachelor of Arts degree in Sociology and Anthropology from Transylvania University and a Law Degree from Ohio Northern University (though she no longer practices law). Before coming to P&A Rachel worked as a Fraud Investigator for the Office of the Inspector General and as a Disability Adjudicator for Disability Determination Services.

Rachel is an avid runner and has completed 7 half marathons including the Bourbon Chase. She is also a sports fan and holds season tickets for the Cincinnati Reds and the Cincinnati Bengals.





Farewell to Rebekah Cotton by Beth Metzger

True advocates hope that their work with individual cases will somehow make necessary, positive changes in systems, as a whole. KY P&A is proud to say that Attorney Rebekah Cotton’s work has done just that since she was hired in March, 2011. She and P&A were able to harness her dedication to improving the lives of individuals with mental illnesses and dogged representation, to impact the lives of countless individuals housed in Personal Care Homes and correctional institutions. Rebekah’s quest to uphold human rights has taken her from Pikeville to Paducah and many places in-between. On September 1, that journey takes her away from Kentucky. KY P&A staff and clients are sad to see her go but are better for her 6 years with us. Continue making the “necessary trouble” Rebekah!



Farewell to Ed Monahan by Jeff Edwards

“We must make the choices that enable us to fulfill the deepest capacities of our real selves.”

Thomas Merton

If we were ever asked to attribute a philosophy to Ed Monahan I would quote Thomas Merton. Ed is known as a leader and visionary in the criminal justice arena. His support of Kentucky Protection & Advocacy and Kentuckians with disabilities is just as strong. He has ensured that children and adults with disabilities are heard and respected, and that Kentucky P&A has the support to carry out our mission.

On behalf of the P&A advisory bodies and the staff of Protection & Advocacy thank you.



Upcoming Events

September 30, 2017 Special Ed Training Camp,

October 14, 2017 Special Ed Training Camp,

November 18, 2017 Special Ed Training Camp,

December 2, 2017 Special Ed Training Camp, sponsored by KYSPIN and P&A, please call KYSPIN for details of times and locations, 1-800-525-7746

November 1-3, 2017: KCA Conference (Kentucky Counseling Association), Crowne Plaza Hotel, Louisville, Register at www.kyca.org

THE RULES HAVE CHANGED...

STABLE
KENTUCKY

Individuals with disabilities can now save and invest without losing government benefits such as Medicaid or SSI.

- » Nationwide enrollment for individuals with disabilities
- » Tax-free savings plan for disability-related expenses
- » Save and invest without losing needs-based benefits

team@stableaccount.com
1-800-439-1653
Mon-Fri 9a-6p EST

stablekentucky.com



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