

Promoting independent living for people with disabilities for more than 40 years. Serving Nebraska and Southwest Iowa

Lincoln CIL Director Announces Retirement



Lincoln CIL Director Marlene Brondel, standing, recently announced her retirement after 34 years with the League of Human Dignity, effective April 30. At that time, Shawna Keller, seated, who currently is the League's Education and Quality Assurance Manager, will become the new CIL Director.

Judge Throws Out New Rules for Home Health Care Workers

A federal judge has overturned the Department of Labor's new Home Health Care wage overtime rules.

The rules, which originally were to take effect Jan. 1, would have required minimum wage and overtime pay for home health care workers.

U.S. District Judge Richard Leon issued the decision on Jan. 14, following a Jan. 9 hearing. The ruling completed a process Leon started in December, when Leon vacated the third-party employer regulations in the Home Care Rule and issued a temporary restraining order on implementing the rest of it.

Disability rights groups had argued, with good reason, that the rule would result in service caps and reduced hours, as well as forcing consumers to accept service providers they may not be comfortable with.

Labor unions and advocates for health care providers have sought wage and benefit increases for some time, while disability advocates and health care businesses have opposed the rule changes.

A statement issued by the National Council on Independent Living (NCIL) expressed support for higher wages and benefits for personal care attendants, "However, the Home Care Rule was an

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CEO'S NOTE

I hope that your holidays were pleasant and that the new year finds you well!

In previous issues, I alluded to significant changes that will occur in the "League's World" during 2015. In this article, I will elaborate on one of these impending changes.

Centers for Independent Living (CIL) were created through amendments to the Rehabilitation Act in 1978, and 10 CILs were established with federal funding in 1979. 50 Additional CILs were funded in 1980, and many more CILs have been established over the years leading up to today. The League was one of the pioneers in the Independent Living Movement, having been in operation for nine years before receiving federal CIL funding in 1980.

The funding, and oversight of CILs has been from the U.S. Department of Education through the Rehabilitation Services Administration. In July of 2014, Congress re-authorized the Rehabilitation Act. One of the key provisions of the newly re-authorized act is to move the administration of CILs to the Administration on Community Living (ACL) within the U.S. Department of Health and Human Services. This move should give the CIL movement a clearer identity, and better development.

Another key provision of the act is that the fifth core service, transition, has been added to the responsibilities of CILs. Transition services assist people with disability to move from nursing homes and other institutional settings, to independent living in their respective communities. CILs are also then responsible to assist people with disability to maintain their independence in their homes for as long as is possible.

Transition services also include services that assist school age people with disability to make the transition from school to work, higher education, and ultimately independent living.

Though the League has always provided services, we are pleased that these services are now required. We expect this newly mandated service to allow more people with disability to more readily achieve, and maintain their independence outside of institutional settings.



Mike Schafer, League CEO

ON THE LEVEL is the bi-monthly newsletter of the League of Human Dignity, Inc.

The League of Human Dignity is a consumer-based, non-profit organization, dedicated to promoting independent living for people with disabilities, in their own homes instead of nursing homes. To this end, we will advocate for the rights and needs of people with disabilities, while providing quality services to assist them in becoming and remaining independent citizens.

Established in 1971, the League now offers services in all 93 Nebraska counties and eight Southwest Iowa counties, through our Centers for Independent Living in Lincoln, Norfolk and Omaha, Nebraska, and Council Bluffs, Iowa; our Medicaid Waiver offices in Scottsbluff, Kearney and North Platte, Nebraska; and our Mobility Options shops in Lincoln and Omaha.

ON THE LEVEL is available online, by email subscription, Braille and on audio CD. To subscribe in any of these formats, contact the Public Information Office in Lincoln or your nearest League of Human Dignity office. The newsletter also is archived on our website: www.leagueofhumandignity.com

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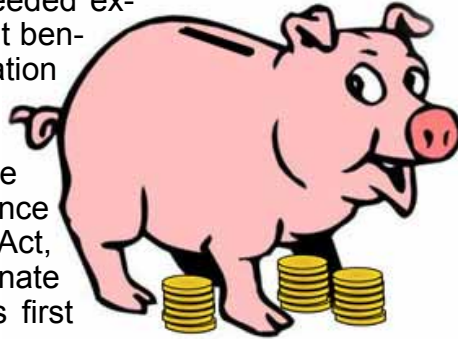
People with Disabilities Now Can Open Tax-Free Savings Accounts

President Obama Signs ABLE Act Into Law, Provides for Savings Without Losing Benefits

People with disabilities soon can open special tax-free savings accounts and save money for needed expenses without losing government benefits, thanks to new federal legislation signed into law by Pres. Barack Obama.

The president signed the Achieving a Better Life Experience Act, also known as the ABLE Act, Dec. 19. It passed 76-16 in the Senate and 404-17 in the House. It was first introduced in 2008,

The law allows people with disabilities to open special accounts



where they can save up to \$100,000 without risking eligibility for Social Security and other government programs. They also can keep their Medicaid coverage no matter how much money is accrued in their ABLE account.

To be eligible, people must have experienced their disability before age 26. Each person can open only one ABLE account and can deposit up to \$14,000 each year.

The accounts can be used to pay for education, health care, transportation, housing and other expenses. The ABLE Act is modeled after the 529 college savings plan. Interest earned on the savings is tax-free.

Each state now must create regulations empowering their financial institutions to make the new offering available.

The man who conceived and worked tirelessly to pass the legislation, Steve Beck of Burke, VA, whose daughter Natalie experiences disability, died suddenly on Dec. 8 at age 44. Passage of the ABLE Act is a tribute to his memory.

RULES OVERTURNED

continued from page 1

unfunded mandate that would have resulted in widespread service caps and service disruptions, leading to negative health consequences, decreased independence, and increased risk of institutionalization for millions of consumers with disabilities.”

President Barack Obama announced in 2011 that the Department of Labor would move ahead and implement the new rules because Congress would not act.

Leon said while concern for the workers' wages is understandable, it's still the job of Congress to change the pay structure, not the Obama Administration. Congress specifically exempted home health care workers from wage and overtime requirements in 1974.

In a statement to NCIL from the Department of Labor, department officials expressed their dissatisfaction with the ruling and said they are considering their legal options. It is likely the department will appeal the ruling.

A blue-bordered advertisement for a golf event. On the left is a silhouette of a golfer in mid-swing. To the right, the text reads: "2015 Omaha/SW Iowa Benefit Golf Event". Below this, it says: "If you would like to help out as an event planner, player, underwriter, sponsor or all of the above for this summer's event, contact the League of Human Dignity at 402-595-1256 in Omaha or 712-323-6863 in Council Bluffs". At the bottom right is the League of Human Dignity logo, which consists of the words "LEAGUE OF HUMAN DIGNITY" next to a stylized icon of a person with arms raised inside a circle.

**2015
Omaha/SW Iowa
Benefit Golf Event**

If you would like to help out as an event planner, player, underwriter, sponsor or all of the above for this summer's event, contact the League of Human Dignity at 402-595-1256 in Omaha or 712-323-6863 in Council Bluffs

LEAGUE OF HUMAN DIGNITY

League's Southwest Iowa CIL Honors 2014 Volunteers



Southwest Iowa CIL Director Carrie England, right, presents the 2014 Volunteer of the Year Award to Orise "Ann" Monk.

Orise "Ann" Monk of Council Bluffs is the League of Human Dignity's 2014 Ken Lindhorst Volunteer of the Year Award winner for Southwest Iowa.

The award was announced Friday, Dec. 12, during the annual Volunteer Appreciation Luncheon at the League's Southwest Iowa Center for Independent Living in Council Bluffs.

League staff, volunteers and guests attended the event, which was held in conjunction with the CIL's annual holiday decorating party. Volunteers each were presented with a scarf bearing the League logo as thank-you gifts.

Ann has been a League volunteer since 2010. She helps out at the CIL's receptionist desk and answers the phone.



Left: Southwest Iowa CIL volunteer Roger Gorn puts up holiday decorations at the center's annual volunteer appreciation luncheon and decorating party Dec. 12, at the CIL in Council Bluffs.

Below: About a dozen staff, guests and volunteers attended the annual event, enjoying a pizza luncheon and dessert.



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Ringling In the New Year



The League's Lincoln staff line up to fill their plates and enjoy a covered dish luncheon Dec. 31, to welcome in the new year.

On the third Wednesday of each month, Dairy Queen at 540 S. 32nd Ave. in Council Bluffs gives a portion of its proceeds from 5 to 8 p.m. to benefit the SW Iowa Center for Independent Living. Come on out and enjoy a delicious treat and support the League of Human Dignity!



Associations & Support Groups

The League maintains a list of associations and support groups in Nebraska, Southwest Iowa, the region and the nation for people with disabilities and their loved ones.

To see the complete list, in pdf format, please visit our website: www.leagueofhumandignity.com/getinvolved.html and click on "Support Groups."

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■ *Examine How Lifestyle Impacts Disability*

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Live Healthy in Every Aspect of Your Life.

This training includes 8 weekly sessions, 9 to 11 a.m. Wednesdays, Feb. 4 to March 25, 2015, at the Rand Community Center, 100 S. 4th St., Missouri Valley, IA.

To learn more or to sign up, contact Robert Syvertson at the League of Human Dignity, in Council Bluffs. Phone 712-323-6863 or email rsyvertson@leagueofhumandignity.com

Classes are free but seating will be limited, so register today! Please register no later than Jan. 30.

A sign language interpreter and reasonable accommodations will be provided on request.

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Coming this June:

The 2015 Norfolk Benefit Bike Run



**Last year's ride was so much fun
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All proceeds will benefit the League's Norfolk Center for Independent Living. Planning is just getting started for this year's event. To be a part, contact the CIL at 400 Elm Avenue, Norfolk, NE 68701; phone 402-371-4475; or email jkloppenborg@leagueofhumandignity.com



ADA Symposium Set for June in Atlanta

This year's National ADA Symposium is May 10 through 13 at the Hyatt Regency Atlanta, 2654 Peachtree St. NE, in Atlanta, GA.

The annual four-day conference is the source for latest information on the Americans with Disabilities Act. Presenters include nationally-recognized representatives of agencies and organizations involved with the ADA.

This year marks the 25th anniversary of the ADA and the 19th annual ADA Symposium.

The symposium consists of a pre-conference, keynote, break-out sessions, advanced discussion groups, exhibits and hands-on learning activities. The event is coordinated and hosted by the Great Plains ADA Center, based in Columbia, Mo.

Registration is \$650 through March 20 and \$800 after March 20.

Last year's symposium sold out early and since seating is on a first-come first-served basis, if you're going, register as soon as you can.

For more information about the symposium, or to register, call Lisa Tucker at 352-669-0076, email Tuckerli@missouri.edu or register online at www.adasymposium.org.



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Century (\$100 to \$249): BPO DOES Drove, Jeff Patterson, Norman Hedgecock, Vivian Cordell, Gates J. Minnick, Frank Velinsky, Charles A. Shapiro, Kent Mattson, Tom Lovgren, Janice Miller, Denise Wiemer, Larry Scalise, William Peters, Becky Hanna, Kent Mattson-Ameritas Mutual Holding Company

Believer (\$50 to \$99): David Patrick, Grant Hrabovsky, Christopher Connolly, Jason Velinsky, Pro Care 3 Inc., Elaine Bills, Dan Zach, Elwood Starner, Ann Rawley

Other: Roger Vandeventer, Vernon Williams, Mobility Motoring LLC, Katherine Hancock, Mary Lee Kenworthy, Elaine Usher, Lorene Ludy, Gary McCaugherty, Ruth Snyder, Mary Steiner, C.G. Pritchard, Burdie Thrap, Stanley Hart, Patty Goett, Reba Schafer,

In Memory of Thomas and Margaret Thorson: Sharon M. Thorson

In Memory of Robert Allington: Dale Young

In Memory of Maggie Albertson: Rosanne Staniford

Of Local Interest . . .

Adaptive Sports & Rec at Madonna

Madonna's Adaptive Sports and Recreation program offers opportunities for people with activity limitations to enjoy a new sport or get back into a sport they once enjoyed.

The program provides monthly open practices, periodic workshops and competition opportunities. Instruction and adaptive equipment are available.

For more information, go to www.Madonna.org, click "news/events" and then "events calendar. Or contact Rick Haith at 402-413-3722 or send e-mails to rhaith@madonna.org.

Barrier Removal Grants Available from League

Barrier Removal Grants are available to qualified renters or homeowners who have mobility limitation or who have someone in their family who does.

The League offers grants in Omaha, Council Bluffs, and Lincoln and Lancaster County. The program is for people with low to moderate income, based on U.S. Housing and Urban Development guidelines, who need funds to remove barriers in their homes.



Examples of eligible modifications include outside ramps and lifts, grab bars, handrails, widened doorways, accessible tubs and showers, and reachable sinks and counters.

League staff offer a variety of services to assist in making homes more accessible to people with disabilities. For more information or for an application for a Barrier Removal Grant, contact:

Omaha Center for Independent Living

5513 Center St., Omaha, NE 68106
Phone 402-595-1256

Lincoln Center for Independent Living

1701 P St., Lincoln, NE 68508
Phone 402-441-7871

SW Iowa Center for Independent Living

1520 Avenue M, Council Bluffs, IA 51501
Phone 712-323-6863

ADAPT Not Giving Up On Bill to Eliminate Institutional Bias

With the retirement of Iowa Senator Tom Harkin, a strong proponent of disability rights, the direct-action group ADAPT is currently seeking lawmakers to take up where he left off and reintroduce the Community Integration Act (CIA).

In June, commemorating the 15th anniversary of the Olmstead Decision, Harkin introduced the act, which would specifically put an end to Medicaid's institutional bias.

ADAPT organizer Bruce Darling said he and other ADAPT members came up with the wording of the legislation, then sent it to Harkin's office, where the language was further fine-tuned.

Under the current system, states are required to provide placement in a nursing home to people with disabilities who qualify for long-term services and supports (LTSS) under Medicaid. There is no requirement to provide home and community-based services. This has created a bias that has forced hundreds of thousands of people with disabilities into nursing homes and institutions against their will.

The CIA would amend the Social Security Act to guarantee individuals eligible for LTSS under Medicaid "the choice and opportunity to receive such care in a home and community-based setting..."

The legislation will have to be reintroduced in the next Congress, and a new champion must be found. ADAPT officials are talking to senators and representatives now who are willing to assume that role. The reintroduction strategy may include amending the Americans with Disabilities Act (ADA) to make the CIA another title, Darling said.

The disability rights community had hoped that the Olmstead decision would accomplish the goal of eliminating institutional bias. That 1999 Supreme Court ruling affirmed the right of people with disabilities to live in their communities.

While strides have been made in some states, often state governments ignore federal laws and court mandates until they are forced to comply – despite numerous studies showing in-home and community-based services are less costly than institutional care.

LEAGUE EMPLOYEES

Saying Hello:

Pamela Nomenyo, Services Coordinator, Lincoln
Vicki Piening, Secretary, Lincoln
Lynn White, Secretary, Lincoln
Brenda Johnson, Independent Living Advisor, Norfolk

Saying Good-Bye:

Melanie Wellman, Transportation & Barrier Removal Advisor, Lincoln
Cheryl Fischer, Secretary, Lincoln
Leanna Sayers, Independent Living Advisor, Norfolk



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WHERE TO FIND US

LINCOLN Center for Independent Living & Mobility Options

1701 P Street, Lincoln, NE 68508
Phone 402-441-7871

OMAHA Center for Independent Living & Mobility Options

5513 Center Street, Omaha, NE 68106
Phone 402-595-1256

NORFOLK Center for Independent Living

400 Elm Avenue, Norfolk, NE 68701
Phone 402-371-4475

SW IOWA Center for Independent Living

1520 Avenue M, Council Bluffs, IA 51501
Phone 712-323-6863

PANHANDLE Medicaid Waiver Office

17 E 21 St., Scottsbluff, NE 69361
Phone 308-632-0470

KEARNEY Medicaid Waiver Office

3811 W. 29th Avenue, Ste 2, Kearney NE 68845
Phone 308-224-3665

NORTH PLATTE Medicaid Waiver Office

2509 Halligan Dr., North Platte, NE 69101
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To apply or for more info, call **Paula Shufeldt**
at 1-888-508-4758 V/TDD
or email pshufeldt@leagueofhumandignity.com



CLASSIFIEDS

Classified ads cost \$5 for the first 25 words and 25 cents for each additional word. To place an ad, write to: On The Level, League of Human Dignity, 1701 P Street, Lincoln, NE 56508; call Jim at 402-441-7871 v/tdd; call toll free at 888-508-4758; or fax: 402-441-7650. Equipment, supplies and other items for sale must be accessible to, or for the use of, people with disabilities.

FOR SALE: Six adjacent cemetery plots in Westlawn-Hillcrest Cemetery in Omaha. Section 8, Lot 24R spaces 7, 8, 9, 10, 11 and 12. \$1,000 each or \$5,000 for all six. Call the League of Human Dignity, 402-441-7871.

FOR SALE: Vertical Platform Lift, fully installed with concrete pad and electrical hookups. Ready to use! \$2,500. Tom Duey, 402-560-1111 (Lincoln).

FOR SALE: Wheelchair accessible Ford van, e150 6 cylinder automatic, wheelchair lift, floor cut out to drive from a wheelchair or drive from factory seat, \$5,500. Call 402-890-8235 (Lincoln).

FOR SALE: GoGo ES scooter, like new, one year old. Three-wheel, black vinyl, foldable, 22 pounds, sealed transaxle, \$400 OBO. Call Debra 402-440-6535 (Lincoln).

FOR SALE: Invacare bariatric commode, used, \$200. Phone 402-477-4977 (Lincoln).

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Services provided at League CILs in Nebraska and Southwest Iowa include, but are not limited to:

- Individual and systems advocacy
- Information and referral
- Independent living skills training
- Peer counseling and support
- Transition from institutions into the community
- Training in personal assistant hiring and management
- Barrier removal grants
- Equipment loan and rental

Call the League at 402-441-7871 to find out more. Or drop by our offices at 1701 P Street in Lincoln, from 8 a.m. to 5 p.m., Monday through Friday. Or contact any of our other Centers for Independent Living.

Through our CILs and Medicaid Waiver offices, the League serves all 93 Nebraska counties and eight counties in Southwest Iowa.

Join Us on Social Media



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Follow us on **Twitter** too. Just click the logo at right or on our webpage or find us @LHD68508.



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