



# Survival Coalition

of Wisconsin Disability Organizations

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March 5, 2012

To: Members of the Wisconsin State Assembly

From: Survival Coalition of Wisconsin Disability Organizations

**Subject: Your Attention to Four Bills That are Important to People with Disabilities in Wisconsin**

- **Please Support AB 471 - Intellectual Disabilities**
- **Please Support AB 477 – Family Care Caps**
- **Please Support AB 455 – Restraint and Seclusion**
- **Please Oppose AB 110 – Special Needs Vouchers**

On Tuesday, March 6, you will vote on four bills that are very important to people with disabilities in Wisconsin. Tuesday also marks the Survival Coalition's annual *Disability Advocacy Day* during which more than 200 people with disabilities, their families and advocates from across the state will be in the Capitol, many to experience the political process for the first time. We hope you will take the time to say hello to your constituents and to discuss your positions on these bills.

Over the last few months, many of you have been hearing from self-advocates, family members and advocates for people with disabilities requesting your attention on these bills because they all will have a personal impact on many individuals' lives. We request that you take the following actions:

### **Intellectual Disabilities Language Bill**

AB 471 removes harmful language from our state laws – the words “mental retardation” – that have stigmatized people with disabilities for far too long. The removal of this term will not change funding, eligibility or supports for people with disabilities, but will make a big difference to many individuals and will bring our state in line with the thinking of other major medical organizations and health agencies. We thank the many Assembly members who have co-sponsored this important legislation and thank Rep. Severson for his leadership. This bill passed the Senate by unanimous voice vote and we look forward to a day soon when the Governor will sign it into law.

**Our Recommendation: Support**

### **Family Care Caps Bill**

AB 477 lifts the caps on Wisconsin's long-term care programs – including Family Care, IRIS, PACE and Family Care Partnership – that were placed in the state budget. The Department of Health Services has presented solid information demonstrating that our long-term care system is sustainable and cost-effective, in addition to being extremely vital to the lives of tens of thousands of people with disabilities and seniors. It must be noted that while we fully support lifting the caps and getting people the supports they need, we regret that the Assembly bill has been amended in a way which does not require a deadline for a vote on new Family Care contracts by the Joint Finance Committee. Creating an indefinite timeframe for the approval of these important contracting discussions

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is not good for entities who desire to do business with the state of Wisconsin and creates extreme uncertainty for the individuals in the 15 counties (including 7 in the Northeast region) that do not yet have access to Family Care and related programs. This bill, without the amendment, passed the Senate by unanimous vote. We hope this strong show of bi-partisanship will also be demonstrated on the Assembly floor. Swift passage of this legislation is important to not only the more than 8,000 eligible individuals on the state's waiting list, but for the maintenance of \$1.7 billion in federal funds.

**Our Recommendation: Support (with amendment concern noted)**

### **Seclusion and Restraint Bill**

AB 455/SB 353 restricts the use of seclusion and restraint in schools to situations when the student's or other individuals' safety is at risk and it is the least restrictive intervention. Harmful practices are not allowed and parents must be notified. This is a huge step forward in Wisconsin. In the past, students have been harmed and teachers have been ill-prepared to deal with serious situations. In addition, this bill has the extraordinary and diverse support of DPI and various education stakeholders, including school boards and school administrators, and is also supported by all major disability and children's advocacy groups. The Senate bill passed that chamber by unanimous voice vote. The success of this legislation is a credit to the education committee membership in both chambers, including Assembly Education Committee Chair Kestell. We look forward to a day soon when the Governor will sign this bill into law.

**Our Recommendation: Support**

### **Special Needs Voucher Bill**

AB 110 is intended to allow parents of students with disabilities to use a voucher to attend a private school. However it will create new, though perhaps unintended problems, which can be harmful to parents and students. Although this bill was improved since its original version, the calculation for funding of these vouchers remains a significant concern and is not a responsible use of taxpayer dollars. Since there are no income or tuition caps in this bill, it will not aid lower income families or families with children with complex disabilities. An additional concern is that this bill locks children into disability status for up to 16 years (without any re-evaluation) if they stay in the voucher program for the maximum allowable period, thereby driving up GPR expenditures for school aids for these children. **No statewide disability or special education-focused organization supports this bill.** In addition, as we have seen in other states, particularly [Florida](#) where the idea for Wisconsin's voucher program was sparked, a program of this type creates significant loopholes for fraud and family deception. Although we do believe a small percentage of families could benefit from such a voucher, this bill does not serve the best interests of the 95%+ students with disabilities who will choose to remain in our public schools. In fact, they may be harmed if this bill becomes law. Such a bill should not be passed in haste.

**Our Recommendation: Oppose**

**Thank you to the many Assembly representatives who continue to stand alongside their constituents with disabilities and all people with disabilities in Wisconsin. We are grateful for your leadership. We plan to publicly acknowledge your leadership following these important votes.**

### **Survival Coalition Co-Chairs**

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