

**Administration on Community Living (ACL) No Wrong Door System
Person-Centered Counseling (PCC) Training Program**

Course Title: Protection and Advocacy

Lesson Number & Title: 6 Disability and Aging-Related Laws and Policies

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Narration:

Welcome to the lesson on Disability-Related Laws and Policies. This lesson is part of the course on Protection and Advocacy in the Person-Centered Counseling Training Program. Please review the information on this screen and go to the next page when you are ready.

Text:

Welcome!

Here is a description of the lesson you are starting:

The disability rights movement led to significant changes and legal decisions that have influenced the lives of people with disabilities of all ages. Even though much progress has been made, the disability rights movement continues because people with disabilities are still discriminated against in many ways. This lesson will introduce the learner to some of the most important laws, policies, and court cases that have created fundamental rights for people with disabilities, including children and older adults with disabilities. Person-Centered Counseling (PCC) Professionals will learn about the different laws and policies that influence the kinds of services and supports that people seek through the No Wrong Door (NWD) system. Understanding the history of these laws and policies can help PCC professionals to not only advocate on behalf of those being served, but also to better understand current inequalities and struggles. At the end of this lesson, the learner will have a better understanding of why these laws and

policies are an important part of their job in the NWD system.

Learning Objective:

After completing this lesson:

You will be able to differentiate between the Medical Model and Social Model of Disability. You will also be able to describe at least three laws that impact the rights of people with disabilities and older adults, what those laws cover, and how they relate to working in the NWD system.

To view course information, including On-the-Job Training Assessments, Portfolio Assignments, and a list of Activities, click on the “Menu” tab and then click Lesson Information.

This course is one of the six foundational courses in the No Wrong Door System Person-Centered Counseling (PCC) Training Program meant to provide basic skill and knowledge related to the identified competencies for a PCC professional. Click on the box below to learn about how person-centered thinking approaches are infused throughout these courses.

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Narration:

Historically, people with disabilities were seen as dangerous, incompetent, and threatening. Many were sent away to live in an institution or mental hospital. Throughout the first half of the 20th century, conditions and services for people with disabilities were either lacking or poor. During this time, disability was viewed in terms of a Medical Model. This meant that disability was seen as primarily a disease or medical condition. Doctors and medical treatments were needed to fix or cure them to make them 'normal' again. Please review the information on the page. When you are ready, go to the next page.

Text:

Disability History

Historically, people with disabilities were seen as dangerous, incompetent, and threatening. They had little to no value to society and were commonly separated from others and their own family, sent away to live in an institution or what was then called a mental hospital or asylum. Throughout the first half of the 20th century, conditions and services for people with disabilities were either lacking or poor quality. Then, in the middle of the century, two things started to change the kinds of services that were available for people with disabilities. First, parents of children with disabilities formed United Cerebral Palsy and the Muscular Dystrophy Association. They started asking for better conditions for their children and more research about disabilities. Second, injured veterans from both World Wars started to age,

and there were growing numbers of adults living with disabilities. Up until that time, most of the disability services and organizations were either for children or adults still in the care of their parents. So as a result, rehabilitation programs started to be created for these veterans and adults with disabilities.

Even so, people with disabilities were still treated poorly. People with disabilities were viewed in terms of a Medical Model of Disability. This meant that disability was seen primarily through the lens of a disease or medical condition. Doctors and medical treatments were needed to fix or cure them to make them 'normal' again. Some people even believed (falsely) that people with disabilities shouldn't have children because they would, in turn, have children with disabilities. As recently as 1974, there were still some states where women with disabilities could be prevented from having children. In 1980, there were still states that wouldn't let people with certain disabilities marry.

For a more detailed overview of disability history, take Lesson 1: Disability History in the CPAC course Disability Rights and Independent Living.

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Narration:

The activities of Ed Roberts and other students with disabilities at the University of California Berkeley helped start what was to become the Independent Living Movement. With this movement, disability was no longer seen as just a medical condition. It began to be framed in terms of the Social Model of disability, which believed that people with disabilities didn't need to change or be fixed. All of this helped to strengthen a growing Disability Rights Movement, which happened because people with disabilities began fighting for their rights. Please review the information on the page. When you are ready, go to the next page.

Text:

Disability Rights Movement

As you just learned, throughout history people with disabilities had few rights and were treated poorly. The Disability Rights Movement helped to ensure equal rights and opportunities for people with disabilities of all ages. A key part of the Disability Rights Movement involved Ed Roberts and a small community of people with disabilities. In the early 1960s, Roberts had to fight hard to attend the University of California in Berkeley. The state of California wouldn't pay for his tuition because of his disability. He was resourceful and determined and, as a result, found a way to live independently on campus. The activities of Ed Roberts and other students with disabilities on campus and in the surrounding community helped start what was to become the Independent Living Movement. His work at UC

Berkeley became the model that created what was to become the first Center for Independent Living. Disability began to be framed in terms of the Social Model of Disability. All of this helped to strengthen the growing Disability Rights Movement, which happened because people with disabilities began fighting for their rights.

Keep in mind that even though much progress has been made since the Disability Rights Movement began, people with disabilities are still discriminated against in many ways. There are still social barriers that make it difficult for them to access services and supports.

For a brief history of the Disability Rights and Independent Living Movements, go to:

<http://www.accessliving.org/index.php?tray=topic&tid=top626&cid=134>

<http://www.disabilityculture.org/course/article3.htm>

<http://bancroft.berkeley.edu/collections/drilm/>

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Narration:

Until the mid-1960s, people with disabilities did not have many rights. They did not have the same rights as people without disabilities. They did not have equal access to housing or buildings. Many people with disabilities routinely experienced discrimination. Although inequalities still exist, there are now laws that prohibit the discrimination of people with disabilities in areas of housing, transportation, employment, and many other areas. Please review the information on the page. When you are ready, go to the next page.

Text:

Disability and Aging-Related Laws: 1960s-1980s

Until the mid-1960s, people with disabilities did not have many rights. They did not have the same rights as people without disabilities. They did not have equal access to housing or buildings. Many people with disabilities routinely experienced discrimination. Now there are laws that prohibit the discrimination of people with disabilities in areas of housing, transportation, employment, and many other areas. The rights of people with disabilities have become better protected in the past few decades because of disability-related laws, but there is still work to be done. Some inequalities and discrimination still exist for people with disabilities.

Following are some aging and disability related laws that will help you to become more aware of the rights of people with disabilities, older adults,

and other people seeking services in the No Wrong Door (NWD) system. Keep in mind that the following are just a few laws that impact people with disabilities – it is not a complete list.

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Narration:

[Narrator: Please pronounce ADA as individual letters, not a word.]

In 1990, a major civil rights law for people with disabilities was signed. This was the Americans with Disabilities Act, or ADA. The ADA was passed after many protests and much hard work by numerous disability rights advocates. The ADA made it illegal to discriminate against people with disabilities in five major areas. The ADA was developed in the spirit of the Social Model of disability and supported the idea that people with disabilities did not need to be fixed. The ADA recognized that a person's disability was not the barrier, but instead there were barriers in the environment that had to be fixed so that people with disabilities could have equal access. Please review the information on the page. When you are ready, go to the next page.

Text:

Americans with Disabilities Act (ADA)

In 1990, President George H.W. Bush signed a major civil rights law for people with disabilities. This was the Americans with Disabilities Act (ADA). This Act was passed after many protests and much hard work by numerous disability rights advocates. The ADA was based on Section 504 of the 1973 Rehabilitation Act, which you learned about in the previous screen.

The ADA made it against the law to discriminate against people with disabilities in five major areas (see below). The ADA was developed in the

spirit of the Social Model of disability and supported the idea that people with disabilities did not need to be fixed. The ADA recognized that disability included barriers in the social and built environment. The ADA required that environmental changes had to be made so that people with disabilities would have equal access. The act was significant because there were no other laws like it. People with disabilities were recognized as members of a group that receives protections similar to laws prohibiting discrimination on the basis of race, color, sex, national origin, age, and religion.

For comprehensive information on the ADA, go to the Department of Justice: <http://www.ada.gov/>

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Narration:

You have just learned about a lot of disability-related rights and laws. Many of these are important to understand as a Person-Centered Counseling Professional working in the No Wrong Door system. Please review the information on the page. When you are ready, go to the next page.

Text:

Disability Rights

You have just learned about a lot of disability-related rights and laws. Many of these are important to know if you're working as a Person-Centered Counseling (PCC) professional in the No Wrong Door (NWD) System..

Activity: Disability Rights Legislation

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Narration:

The Olmstead decision was a Supreme Court ruling that said it was a violation of the ADA and a form of segregation and discrimination if people with disabilities only received needed services in a nursing home or institution. It ruled that people with disabilities had a right to get services in the most integrated setting of their choosing. That included community-based services, if they were appropriate and could be reasonably accommodated. That meant that, if a person wanted, their services had to be provided in a home or other community setting where there would also be people without disabilities. Some of the people you work with in the No Wrong Door system might want to transition out of an institution into a home or community-based setting. The Olmstead decision says that it's their right to do so. Please review the information on the page. When you are ready, go to the next page.

Text:

1999 *Olmstead* Decision

Lois Curtis and Elaine Wilson argued that they were held in an institution even though they were ready to leave it and their doctors stated they were ready to receive services in the community. Their lawsuit against the state of Georgia was referred to as *Olmstead v. L.C.* In 1999, the Supreme Court ruled in this case. Their decision was called the Olmstead decision. The Supreme Court ruled it was a violation of the ADA and a form of segregation and discrimination if people with disabilities only received needed services in

a nursing home or institution. It ruled that people with disabilities had a right to get services in the most integrated setting of their choosing. That included community-based services, if they were appropriate and could be reasonably accommodated. That meant that if a person wanted, their services should be provided in a home or other community setting where they could fully participate in society and be integrated with the entire community.

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Narration:

In 2010, Congress passed the Patient Protection and Affordable Care Act. This act is often referred to as the 'Affordable Care Act' or 'Health Care Reform.' Eventually, this health care reform law will give nearly every American some form of health insurance coverage. This includes people with disabilities of all ages, children, and older adults. It will give people seeking services through the No Wrong Door system greater control over their health care and where they get it. Please review the information on the page. When you are ready, go to the next page.

Text:

2010 Patient Protection and Affordable Care Act

While new laws and protections for people with disabilities are constantly being created and passed, there is still more work and progress to be made. In 2010, Congress passed the Patient Protection and Affordable Care Act. This act is often referred to as the 'Affordable Care Act' or 'Health Care Reform.' Eventually this health care reform law will give almost every American some form of health insurance coverage. Since it passed, there have been constant challenges to the law and many revisions have yet to be adopted in all states.

This health care reform law will affect just about every American, including people with disabilities of all ages, children, and older adults. It will give people seeking services through the No Wrong Door (NWD) system greater

control over their health care and where they get it. Some of the goals of health care reform are to give people more community living options, provide better coordinated care, cover services that previously weren't covered, and decrease overall costs.

For more information on how the Affordable Care Act will help people with disabilities, go to:

<http://www.aapd.com/resources/fact-sheets/health-reform-people-with-disabilities.html>

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Narration:

Think about all the various laws and legal decisions you just read about in this lesson. Please review the information on the page. When you are ready, go to the next page.

Text:
Olmstead

Think about all the various laws and legal decisions you just read about in this lesson. Imagine you are working with Otis, a man in his late 40s who lives in a nursing home and wants to transition out of it and live in the community. He currently receives the long-term services and supports he needs, has a support network and a home care provider, and has found an apartment that he can afford. The major issue is that the apartment is not accessible and the landlord initially refuses to make any changes to the unit.

Reflection Activity: Disability Rights Legislation

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Narration:

Congratulations! You have now finished the lesson. Let's take a few moments to review the key ideas and learning objectives.

The Disability Rights Movement started to change the way people with disabilities were viewed as they advocated for equal rights. As a result of this, there are now laws that protect the rights of people with disabilities, but there is still progress to be made. Many of these laws are applicable to your work as a Person-Centered Counseling professional.

Please review the information on this page. You can also review the content as needed by using the "Left Arrow" icon at the bottom of the screen. This will take you back through the lesson. You may take the test now, later, or as requested by your employer. Good luck and thanks for completing the lesson!

Text:

Conclusion and Lesson Review

- <bullet> Historically, people with disabilities had few rights or protections.
- <bullet> With the Disability Rights Movement, people with disabilities started advocating for equal rights.
- <bullet> There are now many laws that protect the rights of people with

disabilities, although many barriers still exist in society.

Reflection on Learning Objective

Directions: Review the objective(s) on this page. When you are done click on the “My Notes” icon to use the electronic journal or use your own notebook. Write down your answers to the following questions.

1. What did you learn in this lesson that you felt was important?
2. What will you do differently because of the content in this lesson?

Learning Objective

After completing this lesson:

You will be able to differentiate between the Medical Model and Social Model of Disability. You will also be able to describe at least three laws that impact the rights of people with disabilities and older adults, what those laws cover, and how they relate to working in the NWD system.

If you are ready to take the test, click on the “Take Test” tab. You can also take the test later: It will be available from your “Personal Page.” To access it, click on the “My eLearning Lessons View” button. Choose the lesson title from the list of assignments, and then click on the “Start the Lesson” button at the bottom of the screen. Click the “Take Test” tab to start the test.

We recommend that you complete the On-the-Job Training Assessments and Portfolio Assignments for this lesson. They will help you demonstrate competencies for the ideas presented. To view On-the-Job Training Assessments, Portfolio Assignments, and a list of Activities, click on the “Menu” tab and then click “Lesson Information.”

Again, congratulations and good luck!