# BETWEEN THE LINES



COLORADO DEVELOPMENTAL DISABILITIES COUNCIL

**FALL 2010** 

# Improving Access to Home and Community-Based Services

### Information Bulletin # 319 (8/2010)

Nearly five years ago, Congress amended Medicaid by adding Section 1915 (i), intending to increase communitybased services instead of institutional Medicaid services by permitting greater flexibility than Waivers permit. Unfortunately, only a few states took advantage of this.

In enacting the Affordable Care Act (ACA) in 2010, Congress made a number of additional changes that are extremely important to the disability community. However, unless your State opts to take advantage of these changes, they will not happen. These amendments take away many excuses the States have used in the past.

On August 6, 2010, the Centers for Medicare and Medicaid Services (CMS) wrote a "Dear State Medicaid Director letter" encouraging States to take advantage of the ACA 2010 amendments. Here are the changes:

1.) The ACA strengthened Section 1915 (i) to remove the requirement that individuals had to meet an institutional level of care in order to qualify for home and community-based services. Unlike eligibility for Medicaid Waivers that require a person meet an institutional level of care, the 2010 amendments permit your state to provide community-based services for people who are not otherwise eligible for institutional care. Heh—makes sense to provide services

before a person loses more Activities of Daily Living (ADLs).

2.) Another big change is that the ACA amended this Section to permit States to provide community-based services to persons with chronic mental illnesses and/or substance use disorders. Services for this population are defined extremely



broadly. This is long overdue and will help a portion of the disability community that has been shortchanged too long.

- 3.) States now have the option to provide these community-based services to persons whose incomes are 300% of the Supplemental Security Income (SSI) income benefit.
- 4.) Benefits can be targeted either to specific population groups without violating Medicaid's comparability requirements. Alternatively, States could target by functional needs. This permits States to have multiple programs, each targeted at specific populations, e.g., one for persons with physical needs and another benefit package targeted at persons with chronic mental illnesses. It permits your State to define populations' needs with great precision and specifics.
- 5.) Services can be narrowly defined, e.g., personal care or home health aide, instead of the Waiver package of services. There goes a big excuse States have used with Waivers, i.e., they had to provide a broad range of services to everyone on the Waiver.







Systems Change
Colorado Developmental
Disabilities Council
3401 Quebec St., #6009
Denver, Colorado 80207
(720) 941-0176
cddpc.email@state.co.us

www.coddc.org

#### **Council Members:**

Individuals: Katherine Carol—Denver Jesus Castillo—Northglenn Julie Farrar—Denver Ed George—Denver Penny Gonnella—Denver Katie Grange—Snowmass Village Betty Henderson—Westminster **Christine Herron,** Chairperson—Centennial Michael Hoover—Boulder Lisa Kramer—I ittleton Mike McCarty—Boulder Carol Meredith—Highlands Ranch Beniamin Sutton. Jr.—Denver Karie Valdez—Alamosa Karen von Phul-Denver

### Agency & Organization Representatives: Shirley Babler

Department of Public Health & Environment, Maternal & Child Health

#### **Todd Coffey**

Department of Human Services, Older Americans Act

#### Susan Fager

Pacer Center Non-profit Organization

### **Karen Ferrington**

Department of Human Services, Rehabilitation Act

#### The Honorable Jerry Frangas

Colorado House of Representatives Colorado General Assembly

#### Mary Anne Harvey

The Legal Center, Protection & Advocacy Organization

#### Barbara Ramsey

Department of Human Services, Title XIX Social Security Act

#### **Corry Robinson**

JFK Partners, University Center for Excellence

#### **Ed Steinberg**

Department of Education, Individuals with Disabilities Education Act

#### **Council Staff:**

Marcia Tewell
Executive Director
Marna Ares
Planner/Newsletter Editor
Mackenzie Helton
Fiscal Manager
Lionel Llewellyn
Administrative Assistant



6.) States have the option to offer consumers "self-direction." In the 8/6/10 Dear State Medicaid Director letter, it states that, "CMS urges all States to afford participants the opportunity to direct some or all of their Home and Community Based Services (HCBS). Self-direction permits participants to plan and purchase their HCBS under their direction and control or through an authorized representative." Well, how about that?

These changes become effective October 1, 2010.

You and your State Medicaid officials have to begin this process now! Let's not let this slip away. There could be great financial savings if these provisions are used creatively.

Steve Gold, The Disability Odyssey continues

Back issues of other Information Bulletins are available online at http://www.stevegoldada.com with a searchable Archive at this site divided into different subjects. To contact Steve Gold directly, write to stevegoldada@cs.com or call 215-627-7100.



### Colorado 2010 Legislative Session

Jan 7 - May 12, 2010

### Wrap Up

### By Sheryle Hutter

The Colorado 2010 legislative session was both rewarding and challenging as our legislators reviewed and acted upon more than 730 bills, resolutions and proclamations. Many of the bills would have or will impact people with disabilities and outcomes would have been much different without involvement of the Legislative & Public Policy Committee of the Colorado Developmental Disabilities Council.

The Committee met weekly through the 120-day session that ended on May 12, 2010. Sheryle Hutter gave weekly updates on bills, hearing schedules, and followed directives given by the Committee for future focus. Although we identified five critical bills (\*those with asterisks below\*) for the Council to focus on, through the effort of the Committee and a great lobbying team we were able to amend, defeat, and support the enactment of many bills.

### 2010 Bill Status

\*HB10–1019—Accessible Parking—Enforcement Position: Support Status: Passed

This bill will require much stronger enforcement of the proper use of the accessible parking placard and plate. We wrote letters, testified, communicated amendment language with the sponsor and are now able to celebrate the passage of the bill with signing by Governor Ritter on June 11, 2010.



continued on next page

(Disclaimer)

The views expressed by authors in Between the Lines, the quarterly newsletter of the Colorado Developmental Disabilities Council, are not necessarily those of the Council, its individual members or the staff. Letters to the Editor are encouraged, as are requests for correction of factual information. Please direct such to the newsletter editor at marna.ares@state.co.us.









### \*HB10–1152—Civil Rights for People with Disabilities

Position: Support Status: Failed

This bill would have required stronger enforcement of the Americans with Disabilities Act (ADA) and provided equitable opportunity for recovery of legal fees. We wrote letters and testified in support of this bill. However, the bill was defeated on the House floor. A new bill will be sponsored during the 2011 session. The Council should have strong input and support for the new bill.

### \*HB10–1070—Safety in Day Treatment Centers Position: Opposed

Status: Failed

This bill would have supported "lock up." The Committee strongly opposed this bill and members testified, along with other disability rights groups, to defeat the bill in the House Health and Human Services Committee.

### HB10–1025 Colorado Medical Treatment Act Position: Opposed

Status: Passed

This bill revises the language in the "Living Will" including "persistent vegetative state" as a condition to determine end of life. The Committee wrote a letter opposing the unamended bill. However, the bill passed and will be enacted as law. It is very important that the Council follows this bill and educates the community about the bill's effect on choice.

### HB10–1213—Individualized Plans DD Wait List Position: Support Amended

Status: Passed Amended

This bill negates the annual IP and replaces it with an annual notification of "wait list" status and a list of resources for the client. Committee members provided supporting testimony and recommended amendments. Most of the amendments suggested by the Committee were incorporated and the bill has been signed into law.

### HB 10–1324—Medicaid Nursing Facility Per Diem Position: Support with stronger reduction

**Status: Passed** (this was a late bill with little time to communicate) This bill reduced the annual rate increase for nursing homes. The Committee supported the bill and asked for more reductions in the future. The bill was signed into law and the Committee should monitor it closely, and solicit equitable reductions for 2011.

### \*SB10–002—Medical Insurance Coverage Denials Appeals

Position: Support Amended Status: Passed Amended

This bill will enforce third party payment on claims. The Committee supported the bill with amendments through written communication and testimony. Allowable amendments were made and the bill has been signed into law.

### \*SB10–175—Relocate Provisions—Behavioral Health

Position: Support with recommendations for

future amendment Status: Passed

This bill combines several statutes under one. The Committee supported the bill through testimony and asked for future amendments to the overall statute. The bill has been signed into law.

### \*SB10-87—SOS Authority Regulates Lobbyists Position—Opposed without amendments Status: Passed with all of our recommended amendments

This bill as introduced included the volunteer lobby and would have seriously impacted volunteerism, in direct opposition to our pursuit to require "Nothing About Us Without Us." The Committee opposed the bill, recommending that all reference to volunteer lobbying be stricken. The bill was amended and volunteer lobbying was indeed stricken. The bill has been signed into law.

### SB10-76—Unreasonable Insurance

Claims Practices
Position: Support
Status: Passed

This bill protects the consumer from unreasonable claims reduction or denied claims. The Committee supported the bill through written document and it has been signed into law.









### SB10–126—Pharmaceutical Transparency Act

**Position: Support** Status: Passed

This bill provides protection for the consumer, requiring more disclosure of the cost of medication, more transparency and accountability by pharmaceutical companies, and more public information. The bill was signed into law on June 10, 2010.

### SB10-153—Behavioral Health

**Screening Efficiency Position: Support** Status: Passed

This bill requires the creation of a Behavior Health Transformation Council to streamline the varied services available. This bill was signed into law. It will be very important for the Committee to monitor the creation of this Council and insure strong representation of people who receive behavioral health services.

### SB10-167-Medicaid Efficiency and

**False Claims** 

**Position: Support** Status: Passed

This bill expands recovery of third party insurers, and protects whistleblowers, mirroring federal language. The bill was signed into law. The Committee should monitor the implementation of the law to insure that clients are also protected as whistleblowers.

### SJR10–027 Role of Developmental **Disabilities Council**

**Position: Support** Status: Passed

This resolution includes the recommendation that the Council discuss, support and advance the recommendations of the Colorado Autism Commission. The federal Developmental Disabilities Assistance and Bill of Rights Act mandates that the Council address policies and practices that affect people with developmental disabilities, including autism.

#### Other Successes:

Another great outcome for the Council is the approval of a letter that will be mailed on behalf of the Council to each new and expanding company that is applying for the Colorado Tax Credit for creation of new jobs in Colorado. This letter informs employers of ADA guidelines and provides resources for additional information.

\*\*\*\*\*

The Committee assisted Sheryle in the drafting and approval of a position letter to be sent to sponsors of bills that impact people with disabilities, yet does not necessarily require individual letters or testimony. This communication will complement the legislative process and reduce the need for people to commit their time for testimony at some hearings.

By the end of the session, the efforts of members of the Committee, along with those of Sheryle Hutter, were both creditable and effective. Mike McCarty, a long-time volunteer lobbyist, as well as three members of the Committee (Michael Hoover, Ed George, and Jim Vail) participated in communicating with Colorado legislators through letter writing and testimony. This interest and participation strongly supported the philosophy of "Nothing About Us Without Us," and certainly made a difference in the outcome of the Committee's efforts.

### **Future Action:**

The Committee voted unanimously to pursue the following issues during 2010 summer and fall in preparation for the Colorado 2011 Legislative Session:

**Legislative Interim Committees—**Investigate the formation of new committees and participate with ongoing committees such as the Legislative Audit and Long-Range Fiscal Committees.

Civil Rights Bill—Continue support in 2011 of HB10–1152. legislation insuring better enforcement of the ADA and equitable provision for recovery of legal fees when there is disability litigation.

Advanced Directives—End of Life—Pursue education and awareness of all existing plans, and inform the community for determining how best to plan with people with disabilities.

**Equity between Nursing Home rates and Home and** Community Based Services—follow up on equity bills and propose future legislation that restricts mandatory annual increases for nursing homes.

Behavioral Health—Review the law as impacted by SB10–175 and prepare a list of issues to be addressed through legislation in 2011.

Medicaid Buy—In for people with disabilities—Monitor action, grant awards and Council and Committee members' participation in community focus groups.

Sheryle Hutter served as the Legislative Analyst for the Council during the 2010 legislative session









The Americans with Disabilities Act (ADA) is one of several Federal laws that ensure equal opportunity for people with developmental and other disabilities. Though the ADA, passed twenty years ago, most people know little or nothing about this important civil rights law. Five ADA Titles cover the following:

- Title I—Employment: all state and local government employers and private employers with 15 or more employees
- Title II—State and local government, including public school districts and public transportation
- Title III—Private businesses
- Title IV—Telecommunications
- Title V—Miscellaneous Provisions

In 1991, the National Institute on Disability Rehabilitation and Research (NIDRR), through US Department of Education, began funding ten regional comprehensive ADA resource centers. Disability & Business Technical Assistance Center (DBTAC) Rocky Mountain ADA Center provides confidential informal ADA guidance to callers throughout Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Operated by Meeting the Challenge, Inc. in Colorado Springs, CO, DBTAC Rocky Mountain ADA Center provides:

- · Education,
- · Public awareness.
- · Materials dissemination and
- Information and referral

to architects, businesses, code officials, disability and rehabilitation programs, employers, people with

disabilities and their families, schools, state and local government agencies and many other entities with rights and responsibilities under the ADA.

After dialing the toll-free number **(800) 949-4232** between **8–5 weekdays**, callers are linked with qualified ADA Information Specialists. Typical calls to DBTAC Rocky Mountain ADA Center include:

- Medical and dental practices regarding their obligations to provide sign language interpreters for requesting patients,
- **Employees with disabilities** who feel they have experienced discrimination in the workplace,
- **Employers** with reasonable accommodation questions,
- Universal design specifications that comply with the ADA.
- Service animal access in businesses where pets are prohibited, and
- Issues not covered by the ADA, requiring referrals to where callers will likely receive the information they seek.

DBTAC Rocky Mountain ADA Center is available as an exhibitor and also provides customized ADA training. In-person, audio, video or web conferencing training that conforms to the time constraints and needs of the requesting organization. DBTAC Rocky Mountain ADA Center typically requests that organizations contribute 25% of training and travel costs. This nominal fee covers materials.

DBTAC Rocky Mountain ADA Center also provides two trainings in their conference room each month. A daytime training is offered from 10 a.m. to 12 noon, and an evening training is held from 6–8 p.m. \$15 per person covers two hours of training, materials and and a meal. There is no fee for people with developmental and other disabilities.

For more information, please contact DBTAC Rocky Mountain ADA Center 3630 Sinton Road, Suite 103 Colorado Springs, CO 80907 http://www.adainformation.org









### Sister Act Section







# The Legal Center for People with Disabilities and Older People is Colorado's

Protection and Advocacy System. This system protects and advocates the legal and human rights of individuals with developmental disabilities. The organization

- has the authority under federal law to pursue legal, administrative and other appropriate remedies or approaches to ensure the protection of individuals;
- has the authority to investigate incidents of abuse and neglect of individuals with developmental disabilities if the incidents are reported to the system or if there is probable cause to believe that the incidents occurred;
- provides information on and referral to programs and services addressing the needs of individuals with developmental disabilities; and
- annually must provide an opportunity for people with developmental disabilities and their representatives to comment on the priorities of the system.



· · · · · · · · · · · · · · ·

### **Examples:**

In 2007, The Legal Center embarked on a wide-ranging initiative to eliminate the inappropriate and dangerous use of restraint and seclusion as a



disciplinary measure for children with disabilities in Colorado's public schools. The initiative began in response to a growing number of anguished complaints from parents whose children were being tied to chairs for hours at a time, physically injured as they were held down or handcuffed, or placed in a locked room—one little girl was so scared that she urinated on herself. The parents' anxiety was exacerbated by the fact that the children's behavior grew worse rather than being improved by the restraint and seclusion, and their mental and emotional well-being deteriorated significantly. The longer their children were in school, the more complex their diagnoses became. Since beginning this effort, The Legal Center has conducted 40 investigations involving the abusive use of restraint in schools.

The Legal Center recently represented two individuals with developmental disabilities in employment discrimination cases. One case involved a grocery store and the other a town in rural Colorado. The first case is still in progress, but the second was resolved with our client getting a good reference from the employer, a monetary settlement, and finding a new job. He is happy.











Last year The Legal Center represented a student with disabilities on the western slope in a special education due process hearing. The school district was trying to send the student to a day treatment program instead of public school. At the time The Legal Center became involved the student was home without services due to a disagreement over stay-put (the student's placement until the hearing officer's decision). The hearing officer ruled that stay-put was the public school program and the case was resolved with the student attending public school in the least restrictive environment.

In recent years The Legal Center has taken the lead in trying to broaden the state definition of developmental disability. A few years ago The Legal Center was successful in a hearing finding an individual with Asperger's syndrome eligible under our state definition of developmental disability. As a result, there was an effort to narrow the state definition in our state rules. This resulted in the creation of a task force to review the state definition. The task force recommended broadening the definition and that work is still in progress.

Last year Governor Ritter decided to close the skilled nursing unit at the Grand Junction Regional Center

campus. The Legal Center has been actively involved in assisting the 32 residents and family members in the individualized planning process to ensure that individuals are offered community rather than nursing home placements, that they have a choice in the placement decisionmaking process, that their transition is well planned, and that the community placements provide the services the individuals need.



In addition to our direct legal representation of 493 people, last year The Legal Center provided short-term assistance to 744 people, information and referral services to 3,489 people and provided 34 educational programs that reached 1,585 individuals.

. . . . . . . .

### Disability.gov **Colorado Update:**

### **New Housing Information**

A free housing service that helps people find a room, house or apartment that best suits their needs. Search by rent amount. accessibility features, housing vouchers and more. Also has information about moving costs, assisted living facilities, help for people who are homeless and financial assistance to help pay rent.

http://www.disability.gov/state/colorado/housing







## Feds III-Equipped To Hire People With Disabilities, Survey Finds

By Shaun Heasley

http://www.disabilityscoop.com/author/shaun-heasley/

### March 29, 2010

Most federal workers say their agencies are committed to hiring people with disabilities, yet many managers report being woefully unprepared to do so, a new survey finds.

The survey released Monday by the Federal Managers Association and the Telework Exchange indicates that the federal government has a long way to go to make good on efforts to close the employment gap. (<a href="http://www.teleworkexchange.com/unnecessarybarriers/slides.asp?slide=1">http://www.teleworkexchange.com/unnecessarybarriers/slides.asp?slide=1</a>)
Just last fall, President Barack Obama called on <a href="http://www.disabilityscoop.com/2009/10/06/obama-disability-employment/5656/">http://www.disabilityscoop.com/2009/10/06/obama-disability-employment/5656/</a> federal agencies to take the lead in hiring people with disabilities. But the survey of federal managers and recruiters suggests fundamental problems are impeding the effort.

In **40 percent of cases**, managers at federal agencies say that have not been trained to manage or retain employees with disabilities, according to the survey. Moreover, many of those surveyed also said they were unfamiliar with government regulations designed to promote hiring of those with disabilities.

The findings come just weeks before a federal job fair for people with disabilities

that is intended to spur a new wave of hiring. Kareem Dale, special assistant to the president for disability policy is expected to comment on the survey findings at a conference next week.

A report last year from the National Council on Disability found that federal employment of people with disabilities declined 14.42 percent between 1998 and 2007 despite an executive order in 2000 to promote the hiring of 100,000 people with disabilities. (<a href="http://www.disabilityscoop.com/2009/03/31/employment-report-2/2722/">http://www.disabilityscoop.com/2009/03/31/employment-report-2/2722/</a>)

Copyright (c) 2010 Disability Scoop, LLC. All Rights Reserved.

http://www.whitehouse.gov/the-pressoffice/executive-order-increasing-federalemployment-individuals-with-disabilities

.....













### The White House Office of the Press Secretary For Immediate Release

July 26, 2010

### Executive Order—Increasing Federal Employment of Individuals with Disabilities

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish the Federal Government as a model employer of individuals with disabilities, it is hereby ordered as follows:

**Section 1. Policy.** Approximately 54 million Americans are living with a disability. The Federal Government has an important interest in reducing discrimination against Americans living with a disability, in eliminating the stigma associated with disability, and in encouraging Americans with disabilities to seek employment in the Federal workforce. Yet Americans with disabilities have an employment rate far lower than that of Americans without disabilities, and they are underrepresented in the Federal workforce. Individuals with disabilities currently represent just over 5 percent of the nearly 2.5 million people in the Federal workforce, and individuals with targeted disabilities (as defined below) currently represent less than 1 percent of that workforce.



On July 26, 2000, in the final year of his administration, President Clinton signed Executive Order 13163, calling for an additional 100,000 individuals with disabilities to be employed by the Federal Government over 5 years. Yet few steps were taken to implement that Executive Order in subsequent years.

As the Nation's largest employer, the Federal Government must become a model for the employment of individuals with disabilities.

Executive departments and agencies (agencies) must improve their efforts to employ workers with disabilities through increased recruitment, hiring, and retention of these individuals. My Administration is committed to increasing the number of individuals with disabilities in the Federal workforce through compliance with Executive Order 13163 and achievement of the goals set forth therein over 5 years, including specific goals for hiring individuals with targeted disabilities.

Section 2. Recruitment and Hiring of Individuals with Disabilities. (a) Within 60 days of the date of this order, the Director of the Office of Personnel Management, in consultation with the Secretary of Labor, the Chair of the Equal Employment Opportunity Commission, and the Director of the Office of Management and Budget, shall design model recruitment and hiring strategies for agencies seeking to increase their employment of people with disabilities and develop mandatory training programs for both human resources personnel and hiring managers on the employment of individuals with disabilities.

(b) Within 120 days of the date the Office of Personnel Management sets forth strategies and programs required under subsection (a), each agency shall develop an agency specific plan for promoting employment opportunities for individuals with disabilities. The plan shall be developed in consultation with and, as appropriate, subject to approval by the Director of the Office of Personnel Management and the Director of the Office of







Management and Budget, and shall, consistent with law, include performance targets and numerical goals for employment of individuals with disabilities and sub goals for employment of individuals with targeted disabilities.

- (c) Each agency shall designate a senior-level agency official to be accountable for enhancing employment opportunities for individuals with disabilities and individuals with targeted disabilities within the agency, consistent with law, and for meeting the goals of this order. This official, among other things, shall be accountable for developing and implementing the agency's plan under subsection (b), creating recruitment and training programs for employment of individuals with disabilities and targeted disabilities, and coordinating employment counseling to help match the career aspirations of individuals with disabilities to the needs of the agency.
- (d) In implementing their plans, agencies, to the extent permitted by law, shall increase utilization of the Federal Government's Schedule A excepted service hiring authority for persons with disabilities and increase participation of individuals with disabilities in internships, fellowships, and training and mentoring programs.

(e) The Office of Personnel Management shall assist agencies with the implementation of their plans. The Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, shall implement a system for reporting regularly to the President, the heads of agencies, and the public on agencies' progress in implementing their plans and the objectives of this order. The Office of Personnel Management, to the extent permitted by law, shall compile and post on its website Government wide statistics on the hiring of individuals with disabilities.

Section 3. Increasing Agencies'
Retention and Return to Work of
Individuals with Disabilities. (a) The
Director of the Office of Personnel Management,
in consultation with the Secretary of Labor and the
Chair of the Equal Employment Opportunity
Commission, shall identify and assist agencies in
implementing strategies for retaining Federal workers
with disabilities in Federal employment including,
but not limited to, training, the use of centralized
funds to provide reasonable accommodations,
increasing access to appropriate accessible
technologies, and ensuring the accessibility of
physical and virtual workspaces.











(b) Agencies shall make special efforts, to the extent permitted by law, to ensure the retention of those who are injured on the job. Agencies shall work to improve, expand, and increase successful return to work outcomes for those of their employees who sustain work-related injuries and illnesses, as defined under the Federal Employees' Compensation Act (FECA), by increasing the availability of job accommodations and light or limited duty jobs, removing disincentives for FECA claimants to return to work, and taking other appropriate measures. The Secretary of Labor, in consultation with the Director of the Office of Personnel Management, shall pursue innovative re employment strategies and develop policies, procedures, and structures that foster improved return to work outcomes, including by pursuing overall reform of the FECA system. The Secretary of Labor shall also propose specific outcome measures and targets by which each agency's progress in carrying out return to work and FECA claims processing efforts can be assessed.

**Section 4. Definitions.** (a) "Disability" shall be defined as set forth in the ADA Amendments Act of 2008.

- (b) "Targeted disability" shall be defined as set forth on the form for self identification of disability, Standard Form 256 (SF 256), issued by the Office of Personnel Management, or any replacements, updates, or revisions thereto.
- (c) Not less than 1 year after the date of this order and in consultation with the Equal Employment Opportunity Commission, the Department of Labor, and the Office of Management and Budget, the Office of Personnel Management shall review the effectiveness of the definition of targeted disability set forth in SF 256 and replace, update, or revise it as appropriate.

### Section 5. General Provisions.

- (a) Nothing in this order shall be construed to impair or otherwise affect:
- (i) authority granted by law to a department or agency, or the head thereof; or
- (ii) functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.
- (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations, and shall not be construed to require any Federal employee to disclose disability status involuntarily.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA THE WHITE HOUSE, July 26, 2010.











On July 1, 2010 HHS launched an online resource to help people find out about what their options are for health insurance. Go to http://www.healthcare.gov/index.html

Nationally, the percentage of women in state legislatures: 24.2 Percentage of women in Colorado's legislature: 37

Nationally, the percentage of Latinos and African-Americans in state legislatures: 2.9 and 8.1 Percentages in Colorado's legislature: 6.0 and 3.0 (http://www.ncsl.org/default.aspx?Tabld=18248)

Total number of executive orders President Obama has issued, to date: **64** (http://www.archives.gov/federal-register/executive-orders/obama.html)

Date on which President Obama issued the Executive Order to increase the federal employment of people with disabilities: July 26, 2010

Date of the 20th Anniversary of the American with Disabilities Act: July 26, 2010

Date on which the US Department of Justice issued proposed new rules concerning Accessibility of Web Information and Services Provided by Entities Covered by the ADA: July 29, 2010 (http://www.ada.gov/)

