



CID-NY

Manhattan
841 Broadway
Suite 301
New York, NY 10003
212/674-2300 Tel
212/254-5953 Fax
646/350-2681 VP

Queens
80-02 Kew Gardens Rd
Suite 107
Kew Gardens, NY 11415
646/442-1520 Tel
718/886-0428 Fax
866/948-1064 VP

www.CIDNY.org

Center for Independence of the Disabled, NY

July/August 2016

Quick Takes

CIDNY Joins Lawsuit Against NYS Board of Elections and the DMV

CIDNY is suing the State Board of Elections and the Department of Motor Vehicles because their online voter registration forms are not accessible to people who use screen readers or other technologies to access or fill out forms online. If you've had similar experience, please share your stories with Monica Bartley at mbartley@cidny.org.

Manhattan Borough President Gale Brewer and CIDNY Release Voter Survey Results from April 2016's Presidential Primary

In other voting news, Manhattan Borough President Gale Brewer and CIDNY published the results of our voter surveys from the April 2016 presidential primary. In the survey, we gathered results from 128 New Yorkers on their experience voting in the primary, with a focus on issues affecting equal access and voting rights for New Yorkers with disabilities.

The survey results show a number of serious concerns that need to be addressed by the City's Board of Elections, including:

- More than 70 percent of poll sites surveyed by CIDNY had at least one kind of accessibility barrier.
- 20 percent of respondents reported their poll site was overcrowded, a significant problem for voters who use wheelchairs or who live with other mobility impairments.
- Nearly a quarter (24 percent) of voters who attempted to use an accessible Ballot Marking Device reported that they were unable to vote privately and independently, in some cases because poll workers were not trained on how to properly assist voters without violating their privacy.

CIDNY's Executive Director Susan Dooha says, "Voters with disabilities know they have been disenfranchised - something we've documented since 2003. If the City wants to come into compliance with federal civil rights law, it is within its power to do so. The mayor and the Council don't have to wait for the state to 'fix' the New York City Board of Elections. It is within the City's power to make City buildings used as polling sites accessible to people with disabilities. In fact, the New York City Board of Elections is already under court order to make New York City polling sites accessible to voters with disabilities." CIDNY applauds Manhattan Borough

President Brewer for joining us in raising the voices of voters with disabilities who have been consistently denied their civil right to vote privately and independently at the polling sites, like everyone else.

You can read the results of the survey here: http://manhattanbp.nyc.gov/downloads/pdf/Primary%20Day%20Voter%20Survey%20Results_Final.pdf

State Legislative Session Wrap Up

Some of the legislation that CIDNY consumers lobbied for in Albany passed both houses and will be sent to the Governor for his signature or veto. They include:

- *Advanced Home Health Aide Bill* - This bill creates a new category of aides who are trained and certified to perform "advanced" home health tasks under the supervision of a licensed nurse. It will allow many more people to leave nursing homes and move back into the community.
- *Complex Rehabilitation Technology* - This legislation enables people with specific diagnoses and physical conditions to access the quality complex rehabilitation equipment they need to maintain mobility, quality of life and independence through their Medicaid Managed Care Plans.
- *Fail First/Step Therapy Legislation* - This legislation would regulate insurer use of fail first or step therapy protocols which required a patient to try and fail on generally less expensive drugs, before coverage is granted for the drug initially prescribed by requiring an override procedure if the insurer's drug would cause harm, be ineffective or the patient is already stable on the prescriber recommended drug.

Legislation that did not pass and that we will continue to advocate for include:

- *Access to Medications* - Bills to ensure patient access to retail pharmacies and not be forced to use a mail order pharmacy if mail order delivery does not work for them due to their residence or delivery location, the storage requirements of the drug, their availability to receive the prescription, or their ability to understand pharmacy guidance and support over the telephone.
- *Restricting Formulary Changes* - Bill which would prohibit dropping of drugs from health plan formularies or adding higher cost sharing or new utilization requirements for drugs on a formulary during a plan year.
- *Access to out-of-network providers* - Bill which would require all insurance carriers on and off the NY State of Health marketplace to offer coverage for out-of-network providers.

CIDNY CONSUMER ACTION NETWORK MEETING—Wednesday, July 20 — 1:00 PM to 3:00 PM

841 Broadway, Suite 301, between 13th and 14th Streets

Subways: 4, 5, 6, L, N, Q, R to **14th Street Union Square**. Station is accessible for the L, N, Q and R lines.

Do you have Medicare and Medicaid? Do you have long-term care needs? If so, we want to hear about your experiences!

Emily Balkan, a professional at the Medicare Rights Center, leads a group made up of individuals with Medicare, Medicaid, and long term care. The group also includes caregivers of those with Medicare and Medicaid. The goal of the group is to work together to discuss the members' experience with long-term care coverage, good and bad, and to address issues that we see. Together we can work to improve health coverage for you and others with both Medicare and Medicaid.

Emily will ask various questions about your coverage and your satisfaction with your level of care. We welcome all individuals to participate and share their experiences.

Please RSVP to Eva Eason at (646) 442-4156. If you need an accommodation, such as large print or interpretation services (ASL), please let us know by Wednesday, July 13, 2016.

¿Tiene Medicare y Medicaid? ¿Tiene necesidades de atención a largo plazo? Si es así, queremos escuchar sus experiencias!

Emily Balkan, un profesional en el Centro de Derechos de Medicare, encabeza un grupo formado por personas con Medicare, Medicaid y el cuidado a largo plazo. El grupo también incluye a cuidadores de pacientes de Medicare y Medicaid. El objetivo del grupo es trabajar juntos para discutir la experiencia de los miembros con cobertura de atención a largo plazo, bueno y malo, y para abordar los problemas que vemos. Juntos podemos trabajar para mejorar la cobertura de salud para usted y otras personas que tienen Medicare y Medicaid.

Emily realizará diversas preguntas acerca de su cobertura y su satisfacción con el nivel de atención. Damos la bienvenida a todas las personas a participar y compartir sus experiencias.

Por favor confirmar su asistencia a Eva Eason al (646) 442 a 4156. Si necesita un alojamiento, tales como grandes servicios de impresión o de interpretación, por favor, avísenos a través miércoles Julio 13 de 2016.

Proposed Settlement in Class Action Lawsuit Against NYC Transit Authority/Access-A-Ride

The NYC Transit Authority has entered into a settlement involving its Access-A-Ride service. The class action lawsuit was brought by people who complained about AAR's eligibility determination process. This proposed settlement affects all New York City residents with disabilities who have applied or recertified for paratransit services since May 12, 2012, and/or will seek to apply or recertify for services in the future. Here are the main points of the proposed settlement:

- When NYCTA denies an AAR application, it will mail a copy of the "Denial Form" with the eligibility determination letter. The Denial Form will say why you have been denied.
- If you are found conditionally eligible or if you are denied, you can now request your internal AAR Assessment Records. You will receive them within 30 days of the request at no cost. The procedure on how to do this will be explained in your letter.
- For current AAR users who are found ineligible or whose level of AAR service is decreased after recertifying or reapplying, NYCTA will continue to provide service at the same level until the 60-day time to appeal has passed. If you have filed an appeal, your service will remain the same until the appeal has been decided.

- NYCTA will include a statement of its eligibility criteria for AAR service on its website and all its new application forms.
- NYCTA will adopt a nondiscrimination policy called the Equal Access Policy. It will be posted on the website, and staff will be trained on the policy.

You can read the full proposed settlement on the website of MFY Legal Services at www.mfy.org. For any questions, you can contact MFY at (877) 417-2427.

Join CIDNY on July 10 at Disability Pride Parade!

Join CIDNY and other members of the disability community at the Disability Pride Parade on Sunday, July 10. We'll be gathering at Union Square at 10:00 am and marching up to Madison Square Park. You'll see our members with the CIDNY banner. If you march with us, you'll get a CIDNY t-shirt. A festival and celebration will take place at Madison Square Park until 4:00 pm. You may want to bring water with you. Come out and show solidarity as proud New Yorkers! To tell us you're coming (and we'll reserve a shirt for you!) or for more information, contact Monica Bartley at 646-442-4152 or mbartley@cidny.org.

