Assistance Animals: Learn the Lingo and Laws
by Jaime Bunt, Disability Awareness Instructor

There are many kinds of assistance animals around today and distinguishing the differences may be difficult. Below is some information to help spread the understanding of how these animals help people and the laws associated with them.

Learn the lingo:
Therapy Animal: a pet specifically trained to help provide comfort to a group of people, not their owner, such as in a nursing home, hospital, or school. These animals are only allowed in certain public places and are a pet first.
Emotional Support Animal (ESA): provides comfort by just being with their owner. They are not trained for a specific task.
Service Animal: a dog that is individually trained to do work or perform tasks for a person with a disability, such as picking up objects or help with mobility. Since service dogs are not primarily kept for companionship, they are not considered pets.
Psychiatric Service Animal: a service animal which is trained both to do work or tasks to mitigate psychiatric disabilities and for public access.
Guide Dog: a service dog which has been specifically trained to help a person who is blind or has a visual impairment move about safely and independently.
Seeing Eye Dog: a guide dog which has specifically graduated from the Seeing Eye in Morris Town, NJ. There are many guide dog schools in the U.S., but only dogs from the Morristown campus can rightly be called Seeing Eye Dogs.

Learn the laws:
According to the Americans with Disabilities Act (ADA) service dogs are allowed with the person with a disability they are assisting where ever the general public is allowed, such as: grocery stores, theaters, restaurants, non-sterile hospital areas, and public transportation. In addition to these rights, service dog handlers have the responsibility to make sure their service dogs are housebroken and otherwise under control.
To determine if an animal is a service animal, you may ask two questions:
1) Is the dog a service animal required because of a disability?
2) What work or task has the dog been trained to perform?
You may not ask these questions if the need for the service animal is obvious. Examples include when a dog is guiding an individual who is blind or is pulling a person’s wheelchair.

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You also may not:
1) Ask about the nature or extent of an individual’s disability
2) Require proof that the animal has been certified, trained or licensed as a service animal
3) Require the animal to wear an identifying vest or tag
4) Ask that the dog demonstrate its ability to perform the task
Under the ADA, it is the training that distinguishes a service animal from other animals. Some service animals are professionally trained; others are trained by their owners. However, the task that the service animal is trained to do must be directly related to the owner’s disability.
Unlike with service dogs, service dog laws do not allow emotional support animals (ESAs) to go out in public to places dogs are normally prohibited. ESA owners do have certain legal rights in housing situations and when flying. A therapy dog handler is not given public access rights by any service dog laws to take the dog out everywhere like service dog users, because the handler does not have a disability the dog is individually trained to mitigate. Therapy dogs are only allowed into places like hospitals, skilled nursing facilities, and libraries by prior agreement (again, not by service dog laws).
The main law that covers access in housing situations for both service animals and emotional support animals is the Fair Housing Act (FH Act). The agency responsible for FH Act regulations is the Department of Housing and Urban Development (HUD). HUD uses “assistance animal” roughly as an umbrella term for service animals and emotional support animals. In many housing situations, the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 also apply, stating service animals and emotional support animals are reasonable accommodations for people with disabilities.
Service dogs (assistance animals) are allowed to live in no-pet housing under the FH Act. Assistance animal users do not have to pay pet-related fees, barring damage to the property. A landlord can request proof of a disability and thus the need for help of an assistance animal (unless your disability and need for the dog is apparent or known). This proof is usually accomplished with a letter from a medical doctor or treating therapist. Such documentation is sufficient if it establishes that an individual has a disability and that the animal in question will provide some type of disability-related assistance or emotional support.
This is a summary, which does not include all stipulations of the terms, laws and regulations concerning assistance animals which can be confusing, for more information or clarification please contact RCAL (845) 331-0541.

On Wednesday, October 31st, RCAL staff, along with dogs (back row, left to right): Rusty, Brutus, Nikki, and Charlie, gather to celebrate Jonas’s birthday. Jonas (pictured right) is Seeing Eye dog for Jaime Bunt, Advocate & Disability Awareness Instructor at RCAL.
RCAL Receives Award

RCAL is honored to have been chosen to receive the 2017 Commitment to The Community Award by the Ulster County Regional Chamber of Commerce! RCAL was recognized at the Ulster County Business Recognition Awards Dinner on Thursday, October 26th, held at the Diamond Mills Conference & Resort Center, with a number of RCAL staff in attendance. Sue Hoger, Chief Executive Officer accepted the award on behalf of the agency.
**What to look out for in disability advocacy.**

by Alex Thompson, Systems Advocate

A new season in disability advocacy is upon us following what has in the past been the slow summer season. Some issues come up as part of seasonal budget deadlines or waiting on the Governor to sign bills into law. Other issues are ongoing advocacy efforts to implement changes that don’t require new laws to be passed. Congress has already returned from their unprecedented shortened August recess following long and dramatic debates on the future of health care. Our New York State legislature will start their new session in January and we expect the Governor’s budget to again be the mechanism by which legislation lives or dies. The Visitability Tax Credit, a home access modification credit, has not fared well over the past few years.

At The Resource Center for Accessible Living, Inc. (RCAL) we are continuing to reach out to local government in making sure they have the resources they need to better serve people with disabilities in the community. This October we hosted a training for members of local government. Part of the effort is making sure ADA Coordinators are in place and trained to be proactive in implementing changes while also responding to complaints from the public. People with disabilities know what works best to accommodate them and having access to a means of addressing issues quickly is a positive outcome for everyone involved.

You can always stay involved in our efforts via our Advocacy Alerts email list by visiting [http://eepurl.com/crqKX9](http://eepurl.com/crqKX9)

**Health care**

Health care remains an important issue for advocates. It is widely acknowledged that reforms and changes are needed to build a better health system, but many changes we have seen proposed so far are shortsighted and harmful to people with disabilities. We need to continue to make sure that advocates for people with disabilities are heard and our stories create positive change.

One of the big issues facing many people with disabilities is possible cuts in home and community care. The cuts could come in the form of lower federal matching payments for home and community based services or they could be widespread as part of overall federal funding reductions. Hours could be cut as part of cost savings measures.

The House and Senate are currently working on a budget resolution and if it passes we can expect another budget reconciliation process. Medicaid for people with disabilities could be in jeopardy with cuts used to fund tax reform proposals. The Senate would require 51 votes before a deadline, as they did before, during the reconciliation process. Republican congressional staff expect the process to finish by November, but based on past events we are likely to see a more drawn out timeline.

We also must keep an eye on rule making actions. A freeze or change was proposed in the U.S. House Energy & Commerce Committee Markup by Rep. Bobby Rush (D-IL) to a rule on self-determination for people with disabilities. The rule ensures that Medicaid dollars go to real community settings and prevents providers from deciding when people living in residential settings get to eat or go to sleep or have visitors in their own homes.

The rule also makes it harder for states to use Home and Community Based Services (HCBS) funding to support institution-like settings, such as segregated villages and "gated communities". Again, the rule was crafted with significant input from people with disabilities stating what is important to them.

Thankfully, the disability advocates from across the country were successful in stopping the amendment. (Continued on page 5)
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**ADA Reform Act**
There is an ongoing threat to the Americans with Disabilities Act in Congress. The ADA Education and Reform Act is designed to weaken the ADA in favor of business interests that have had nearly three decades to be in compliance. Such generous provisions are unheard of in government and simply act to delay the inevitability of coming into compliance.

We need to continue to educate our representatives to fight against changes to the ADA and work with our business community in being accessible to everyone. There have been a few stories in the media about ADA lawsuits against small businesses, but the vast majority of people with disabilities would rather be accommodated than file a lawsuit.

Businesses are always welcome to contact our architectural barriers consultant, Gilles Malkine, to learn if their business is ADA compliant and suggest fixes to barriers. Tax credits and deductions are available for businesses that undertake many of these ADA accessibility projects.

**ADA Coordinators**
Public entities with 50 or more employees are required by the ADA to have ADA Coordinators. The truth is that many local governments nationwide are not in compliance with this provision. At **RCAL**, we conducted our own countywide survey to begin gathering information on local government entities that have ADA Coordinators. Our goal is to make sure that people with disabilities in Ulster County have access to ADA Coordinators that can help them resolve issues of access. ADA Coordinators are supposed to act as a single point of contact to address issues. Some of the best advocacy comes from self advocacy. Making sure ADA Coordinators are in place will help self advocates in our community address issues impacting their life.

Following our survey, Disability Rights New York released a report in July that surveyed communities across the state and whether they complied with the ADA Coordinator requirement. Of the public entities surveyed, 9 of the 156 were found to be in compliance and 63 of 156 did not have a designated ADA Coordinator.

**Disability Integration Act**
A key element of independent living is the ability to live in the community with services provided to accomplish that goal. Since the start of the movement advocates have continued to fight to ensure that home and community based services would be available to anyone not choosing or forced into institutional care.

The Disability Integration Act (DIA) is a bill that would ensure home and community based care. It would eliminate the bias whereby people are sometime forced into institutions to receive services. The DIA is slowly continuing to get support in the House and Senate.

On Friday, June 30, 2017, **RCAL** staff rally outside Congressman Faso’s office on Broadway in Kingston, and discussed concerns with Faso’s staff.
JOIN OUR BOARD OF DIRECTORS!

**RCAL** is recruiting interested individuals with diverse backgrounds in finance, fund development, nonprofit management and/or program development to serve on its Board of Directors.

For more information, please contact:

Susan Hoger, CEO
(845) 331-0541 or shoger@rcal.org

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August 21, 2017 - Taking a work break to wait and witness the eclipse.

Above - Friday, November 3, 2017, A number of **RCAL** staff were in attendance at the Jewish Family Services 10th Annual Circles of Caring Conference - "Detoxifying the Caregiver" at the Best Western Plus in Kingston, NY. Pictured here is Gloria Toporowski, Miriam Oreglio, and Karoline Ford.

Left - Saturday, October 7, 2017, **RCAL** staff members (Miriam Oreglio & Carol Ray-Hudson) at the 2017 O+ Festival's Wellness EXPO+ in uptown Kingston, NY.
RCAL is excited to announce that we are hosting a job club entitled Lunch Break. We meet every Friday at 12 noon at the Kingston Library at 55 Franklin Street in Kingston. Lunch Break is an open collaborative planning space for people to come together to share the ups and downs of getting and keeping jobs in a structured setting. Everyone who comes to Lunch Break participates as equals. We eat our lunch together and all are included in casual conversation. It is a chance to relax and chat in an informal setting. After lunch we enjoy our time together talking about work; we use different learning modalities to communicate and expand our thoughts on employment and take time to reflect on our needs, goals, and past experiences. Our group focuses on roll playing, games, communicative art projects, and sharing personal experiences. We are always welcoming new members and encourage all bring their lunch and to stop in and join us! For more information call RCAL’s Employment Services Department at (845) 331-0541 ext. 35 or email hNichols@rcal.org
RUPCO-RCAL SUMMER INTERN SORTS DATA FOR DEEPER KNOWLEDGE: (Reprinted with permission from RUPCO.)

RUPCO welcomes Sacred Heart University junior John Krom as a summer intern addressing issues of poverty in the local area. Krom will work closely with experienced staff in Program Services to help identifying families eligible for the Family Self-sufficiency Program, explore resident population statistics, and determine other demographic data. A recipient of the American Legion Scholarship Award, Krom is also a part of Sacred Heart University’s Junior Achievement group, which focuses on teaching young children the aspects of business and what careers are available to their generation. Krom’s internship is a result of a partnership between RUPCO, RCAL and New York State Education Department’s Adult Career and Continuing Education Services (ACCES).

Bonnie Dumas, ACCES Vocational Rehabilitation Counselor, coordinated the summer work experience. “We hope this opportunity at RUPCO will give John work experience and provide him soft skills in a career field he is interested in.” She sees this as an opportunity for John to gain the workforce experience he needs to transition from college schedules to business structure. RUPCO oversees paid and unpaid internships each year as part of its commitment to the community. “We believe in providing valuable work experience in the nonprofit sector,” notes Tara Collins, Director of Communications of Resource Development. “In just the last three years, RUPCO has hosted a dozen interns from SUNY New Paltz, SUNY Ulster, Kingston High School, Sacred Heart University and Walden School District. Students gain skills and a resume addition, but the real value comes with their increased knowledge about their communities and how nonprofits support their neighborhoods. According to the Bureau of Labor Statistics, the nonprofit sector accounted for 11.4 million jobs nationwide in 2013, 10.3% of all private sector employment. That employment number is rising each year. Interning is a valuable experience for future young professionals and helps them understand the mechanics of nonprofit business in general, and RUPCO’s community engagement specifically.”

Hilary Nichols of RCAL is glad John has the opportunity to share his skillset at RUPCO while also being open to learning new skills that will cross connect in other spheres of the workforce. “John will brings a sense of eagerness and a way for people to re-look at their own job so they have a renewed sense of importance. I hope it will bring a sense of satisfaction within the RUPCO agency to have him there. I hope John will gain a sense of what the culture and climate is within an office or business environment so he learns how everyone needs to come together as a team to get things done. He can take what he learns and also apply it to college.”

Krom’s previous customer service experience will come in handy this summer. A former line cook at Hurley Mountain Inn and waiter for Olivebridge’s County Inn, Krom also assisted with planning and organizing college activities. These jobs have prepared him with organizational skills and attention to tend to customer needs. Along with data entry and demographic research, Krom’s investigative skills will help RUPCO better understand its client base and how to serve them better in the future. Krom hopes that through collaborative work, he can help RUPCO clients and program participants advance to “better living, so people can move on, to lead more independent lives, and to help them save money.”

For Krom, Home Matters because it “shelters and protects you. It’s your sanctuary, and it makes you feel safe.” He emphasizes the importance of having a stable family life within home. “Family is what motivates you to your best. It helps you grow into the best human you could be, and provides a safe environment for you to live in. Family teaches you the foundation of life and pushes you to never give up. Without my family, I don’t know where I would be or where my motivation would come from.”
PART-TIME FLEXIBLE EMPLOYMENT

Resource Center for Accessible Living, Inc.
727 Ulster Avenue
Kingston, NY 12401
(845) 331-0541

Available Opportunities:

Part-Time Respite Provider

RESPITE IS A SERVICE THAT PROVIDES RELIEF TO INDIVIDUALS WHO ARE RESPONSIBLE FOR THE PRIMARY CARE AND SUPPORT OF AN INDIVIDUAL WITH A DEVELOPMENTAL DISABILITY.

&

Part-Time Community Habilitation Support Staff

COMMUNITY HABILITATION IS A SERVICE WHICH PROVIDES EXPERIENCE AND SKILL DEVELOPMENT TO INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES WHO LIVE AT HOME, IN ORDER THAT THEY MAY LIVE MORE INDEPENDENTLY.

For more information contact Brenda DeBaun,
Community Habilitation & Waiver Respite Supervisor at
(845) 331-0541 or bdebaun@rcal.org

RCAL operates in accordance with the conviction that people with disabilities can and should make their own choices and decisions, and take control of all aspects of daily living, including education, employment, housing, health care, recreation, etc.
The Value of Work by Ellen Wren, Business Liaison for Employment Services

“So what do you do?” How often have you asked a new acquaintance this or been asked it yourself? Countless times, surely. Have you always felt proud of the answer? Has there ever been a time when you dreaded this question; when you might have been struggling in this area of your life? For better or worse, our work, or lack of it, helps define us, regardless of our disability status.

Asked what intangible benefits work provides, people of all walks of life express the same sentiments. A job is rarely ‘just a job’ once you look past the paycheck. Employment gives structure and purpose to our days. It provides us with a source of pride and accomplishment. If we’re lucky, it gives meaning to our lives. Feeling as if you are offering a positive contribution to your community is no small thing. The opportunity to feel capable feeds self-esteem.

All of this impacts life outside of the workplace. If we feel confident, capable, and valued, we tend to extend ourselves more to the people around us. This positive impact radiates outward.

Friendships and community often form in the workplace. Work births our ‘work family’: people we may see even more than our own family. We connect with them over challenges and victories. We eat birthday cake with them. We share sorrows and joys with them. They provide a unique social net and valuable support.

Brilliant physicist, Stephen Hawking, asserts, “Work gives you meaning and purpose and life is empty without it.” Whether it’s raising children, stocking shelves, or running a multi-national corporation, work done with heart and commitment matters. Without the opportunity to be constructive in some way within our own community, dignity is dented and social cohesion is damaged. Confidence weakens. Potential for growth is missed.

In Employment Services, we have the honor of being both coach and cheering squad for the people we serve as they grow, gain confidence and define for themselves what meaning and purpose work brings to their lives.

Josh Bannen, an RCAL Employment Services participant is a stellar example of this. Josh works the register in the sporting goods department of the Catskill Walmart. He’s come a long way and is proud of himself and his well-deserved promotion. We are so proud, too! He offers this encouragement to other job seekers: “The work you put in now will be the beginning of your dreams for the future”.

Look for more inspirational stories from RCAL’s Employment Services in future newsletters. We’re excited to share the successes we witness regularly.

Starting out with only 3 staff members in 1983, RCAL is thrilled that its 35th Anniversary is just around the corner! Stay tuned for celebration information in future newsletters and publications!
Winter Open House

Wednesday, December 13, 2017
12:00 p.m. to 2:00 p.m.

RCAL
(Resource Center for Accessible Living, Inc.)
727 Ulster Avenue
Kingston, NY

Please RSVP to Carol
(845) 331-0541 ext. 20

Come join us for our delightful and diverse buffet!
Happy Holidays!
From all of us at RCAL
Come join a new support and discussion group in Poughkeepsie, at the Taconic Resources for Independence, for folks who identify as LBGTQ and have a disabling condition. The purpose of the group is to provide a safe forum for conversation about identity, connection, and community (and anything else) in a location where resources for the LGBTQ community are lacking. The first one will be held November 14th, and then once a month from that point forward.

Date: Nov. 14, 2017
Time: 5:30-7:30 pm
Location: TRI
82 Washington Street #214
Poughkeepsie, NY 12601
Contact Charla for more info:
charlarubym@gmail.com

Amazon Smile
You shop, Amazon Gives!

How does it work?
- Go to www.smile.amazon.com
- Enter your Amazon username & password
- Choose RCAL as your charity
- Shop Amazon Smile to donate 0.5% of your eligible purchase to RCAL

For questions call (845) 331-0541. Happy Shopping!
It’s a simple fact.

People with disabilities get sick and die because they can’t get access to health care.

Have you been denied access to medical care because you have a disability?

People with disabilities receive fewer preventive services and have higher rates of many medical conditions such as high blood pressure, stroke and diabetes.

Healthcare facilities are required by federal, state and local laws to be accessible to anyone with a physical disability. This includes doctors’ offices, labs, medical screening and testing facilities, dentists, hospitals and clinics.

If you have been prevented from getting healthcare services because of your disability or feel you have been discriminated against by a healthcare facility because of your disability, the ICS Health Access Program wants to hear from you.

Please call our hotline, leave your name, number, and the best times to reach you, and a Health Access Program staff member or volunteer will return your call.

The Health Access hotline number is 646.653.6242.

Email the Health Access Program at whp@icsny.org.

ICS Volunteer, Manyon Lyons, shares her story on page 14 of this newsletter.
ICS Volunteer Shares Her Story
(Reprinted with Ms. Lyons permission from her Facebook page. Information about ICS is provided on page 13 of this newsletter.)

My name is Manyon Lyons. I’m 52 years old and I have an 18-year-old son. I have a degree in broadcast communications and I am a former Paralympian who won a Silver Medal for the United States in the 1984 summer games discus throw competition. I have always been a strong, independent person but because I have a disability, for many years I have been unable to get basic health services that many people are able to take for granted. I have testified at public hearings about this issue and volunteered with the ICS Health Access Program to help educate the medical community about caring for people with disabilities. ICS is working hard to change healthcare for people with disabilities. Please help us. Tell us your #disability #healthcare story http://bit.ly/2wVWn5V

RCAL’s redesigned website can now be translated. Individuals with disabilities and their families can now click on the “translate” dropdown near the top right corner of the website and choose a language that they would like to use. The text portions of the website will be converted, allowing those who do not speak English to read information about our services. RCAL’s website address is: www.rcal.org
ABLE has arrived in NY State  by Debbie Denise, Benefits Advisor

ABLE:  stands for Achieving a Better Life Experience Act.  The act was passed in 2014.  The purpose is to allow people with disabilities to save money for specific purposes without fear of losing the benefits they depend on*.

It allows for a person who was disabled before the age of 26 save tax deferred, and withdrawn tax-free for qualified expenses. These expenses must be related to the disability. Examples are education, employment training, employment licenses and tools of the trade, personal support services, housing, transportation, and others.

There is a range of investment options to choose from high risk to low risk. There is also a checking option for monthly use of the funds.

To get started you can open an account for as little as $25.00. They allow payment into the account by direct deposit or by check. Just go on line to nyable.org. The application is a fairly simple one. It should take no more than 20 minutes to complete. If you do not have computer access or questions call NYABLE at 1-855-569-2253.

As always RCAL is here to assist you. If you want to know more, you may contact Debbie Denis Benefits Advisor at 845-331-0541 ext. 24.

*For SSI recipients, ABLE resource and non-ABLE resource cannot exceed $100,00.00.