



2022 ANNUAL REPORT

COALITION OF TEXANS WITH DISABILITIES





IN THIS REPORT

1 Introduction

2 Major Advocacy Work

- 2 Community Services and Supports
- 4 Voting Rights and Elections
- 5 Children and Education
- 6 Healthcare Access
- 7 Medical Cannabis
- 7 Criminal Justice

8 In the Community

- 8 Workgroups
- 8 Advocacy Education
- 9 Raise Your Voice!
- 9 In the News

10 Arts Programming

- 10 Cinema Touching Disability
- 11 Literary Events

12 CDS Update

13 In Memoriam

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Introduction

2022 was tough, yet we're proud of CTD's accomplishments. It was an interim year, in which the Legislature did not meet, and in that time, our advocacy team made strides that left us feeling optimistic as we headed into 2023. Our arts programming saw exciting growth, and our CDS Division overcame some hurdles that had been years in the making.

We also took some crushing blows this year—the loss of our colleague and friend, Susie Angel, the most painful among them. This report, and our work in 2023, particularly on attendant wages, access to dental care, voting, and the arts, is dedicated to her.

We think she'd be proud.

All images by CTD unless otherwise noted.

2022 by the Numbers

- ▶ \$238 million moved in state budget during the interim year
- ▶ + 12,000 emails sent by CTD members to legislators
- ▶ 940 attendees at advocacy events
- ▶ 44 advocacy partners
- ▶ 31 media hits
- ▶ 20 partner sign-on letters
- ▶ 27 workgroups and advisory boards

Major Advocacy Work

The Legislature did not meet in 2022, and we worked to **set the table for positive advocacy in 2023**. We built on foundations laid last session and took advantage of opportunities to prepare ourselves and our membership for the session ahead.

Our preparations began by stabilizing and expanding our advocacy team. Thanks to a grant from St. David's Foundation and the Episcopal Health Foundation, **Public Policy Fellow J Canciglia** joined our advocacy team in April.

We are also grateful to the Texas Council on Development Disabilities (TCDD) for funding another 2 years of our **Peer Policy Fellowship**, allowing our **Jennifer Toon** to continue her outstanding leadership on criminal and youth justice reform for people with disabilities. The Borealis Foundation provided additional funding to support her position.

Community Services and Supports

CTD led actions to resolve three different Texas Health and Human Services Commission (HHSC) policies that would have prevented a large number of attendants from receiving **American Rescue Plan Act (ARPA) bonuses**. ARPA is federal COVID relief funding. In the third special session in 2021, CTD had successfully advocated for funding to go to community attendants. Rather than raise the hourly wage, the Legislature agreed to direct money to attendants in the form of retention bonuses. Implementation revealed by HHSC in April would have excluded the state's largest community care program.

CTD intervention directly led to inclusion of over 100,000 attendants, as well as a funding increase of \$238M.

In the news

“The discrepancy was uncovered this month by Dennis Borel, an advocate who heads the Austin-based Coalition of Texans with Disabilities...”

Texas Got Millions to Boost Pay for Strapped Healthcare Attendants. It Left out the Largest Group. Houston Chronicle, April 21, 2022.



Separately, we noted two other implementation policies that would create an insurmountable barrier for bonuses to attendants serving approximately 20,000 people with disabilities in the Consumer Directed Services (CDS) Option. Using contacts in the Legislature, **we were able to get HHSC to approve modifications correcting the flawed practices.**

2022 advocacy efforts for a permanent raise in attendant wages included:

- ▶ the release of **Crushing the Workforce 2.0**, a data driven updated report on the community attendant care crisis. View it online at txdisabilities.org/about-us/reports.
- ▶ monitoring the **HHSC appropriations request** to ensure it included funding for attendant wages and interest list reduction (it did).
- ▶ collaboration with Texas Health Institute on an **economic analysis** on increasing attendant wages that demonstrates savings in hospitalizations and nursing home admissions and increases in state sales tax revenue (released in February 2023).
- ▶ both **public and invited testimony** in 4 legislative hearings.



Crushing the Workforce 2.0 cover illustration





Voting Rights and Elections

We knew at the close of 2021, with the passage of voting restrictions, that we had a fight ahead of us. We've been monitoring the new legislation (rollout has been troubled) and seeking opportunities to resolve its problematic provisions.

A couple of successes:

- ▶ We won an emergency judge's order in **Bexar County requiring mail-in ballots that are accessible to people with visual impairments** for the November 8 election.
- ▶ In August, we were the only disability organization invited to give two presentations on accessibility in voting at the **Secretary of State's Election Law Seminar**.

Texas Disability Issues Forum

CTD was a lead organizer, along with REV UP Texas, for the Texas Disability Issues Forum (TDIF), which took place September 19. TDIF was a nonpartisan, one-day event, where **candidates for elected statewide office addressed concerns of Texans with disabilities**. We invited major party candidates for the offices of Governor, Lt. Governor, Attorney General, and Agriculture Commissioner to address the public policy concerns of Texas' disability community.

We knew we had to temper our expectations of an in-person event, with the pandemic still in full swing for many groups, including Texans with disabilities. But the community's support, participation, and feedback were so positive, this year's Forum was a huge success! Each of the Democratic candidates—Beto O'Rourke for Governor, Mike Collier for Lt. Governor, Rochelle Garza for Attorney General, and Susan Hays for Ag Commissioner—attended to speak about their disability issue positions.

Over 200 people attended in person, while REV UP's team of media professionals broadcast the Forum to YouTube and through the Texas Tribune, our media partner. Live watch parties took place from El Paso to Corpus Christi, and subsequently, the broadcast has been viewed hundreds more times.





Children and Education

Texas' public systems that serve children are falling short in many ways, and children with disabilities are taking some of the hardest hits. Our work to address these shortcomings in 2022 included:

- ▶ refiled bills. In 2021, some of the bills we worked on did not make it through the legislative process, despite broad support. We're enthusiastic that **State Representatives Mary Gonzalez and Alma Allen pre-refiled their Inclusive Child Care bill and Early Pickups bill**, respectively.
- ▶ student safety. Also from the 2021 session, the Texas Legislative Council drafted and refiled a bill to **reform the penal code to prohibit certain kinds of use of force on students**. In January 2022, CTD and partner organizations called on state leaders to act to address the ongoing concern of violence against students with disabilities.
- ▶ interim advocacy. We **testified during interim meetings of the Texas Commission on Special Education Funding** and provided **written comments to House and Senate Education committees**.
- ▶ student restraint. We continued our work with the **No Kids in Cuffs Coalition** to support legislation that would prohibit children under 10 years of age from being handcuffed and/or pepper sprayed.

Looking ahead, we prepared for major pushback in the 2023 legislative session against education savings accounts or **vouchers for special education students** to attend private schools. In private settings, students with disabilities would relinquish their rights and protections under the federal Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act (ADA). Plus, private schools don't have to enroll students with disabilities like public schools do. We foresee additional potential barriers to families regarding tuition costs and the availability of private schools to attend, among others.

left: from left, Nancy Crowther, Julie McConnell, Gubernatorial candidate Beto O'Rourke, Rita Coyne, and Renee Lopez at the 2022 Texas Disability Issues Forum. Photo by Mike McDiarmid..





Healthcare Access

2022 brought many opportunities to continue work from the previous year's legislative session on improving access to healthcare and consumer protections in healthcare. Some of those opportunities, we knew we would have, but others were unexpected.

In consumer protections, we had worked on two pieces of legislation in 2021 that failed to pass the Legislature:

- ▶ **non-medical switching**, a set of tactics that health insurers and pharmacy benefit managers (PBMs) use to switch stable consumers off their already-prescribed medications for non-medical reasons.
- ▶ **copay accumulators**, which prevent copay assistance funds from counting toward a consumer's annual deductible or other out-of-pocket requirements, resulting in higher out-of-pocket costs.

We took the 2022 interim to prepare for another shot. Our activities included leadership in the **Coalition of Stable Patients** and grassroots organizing and education.

In 2021, we celebrated the passage of legislation for a **preventative dental benefit for adults with disabilities in Texas Medicaid**. However, HHSC did not implement that benefit, citing the Nelson Amendment. This amendment states that, if the Legislature didn't make a specific appropriation for a bill, HHSC has the option of not implementing it. In 2022, we took advantage of opportunities to address this problem, including submitting comments to interim hearings, organizing public support to fund the benefit, and preparing to shift focus to funding the benefit in the 2023 Legislature.

Right, from left: Alexa Garza, EdTrust, our Jennifer Toon, Cynthia Simmons, Texas Center for Justice and Equity, and Lori Mellinger, Statewide Leadership Council, at the Capitol following an interim hearing on women's programming at TDCJ.

Medical Cannabis

In 2022 CTD began work with new partners, like our former board member Frank Santos and the **Texas Patients First Foundation**, to grow and improve the Texas Compassionate Use Program (TCUP). Our interim work to pave the way included a number of **public speaking engagements** and **testifying at the Department of Public Safety (DPS) Commissioners meeting on TCUP recommendations**. Our Chase Bearden has been formally appointed to the **DPS TCUP Workgroup** as a patient representative.



Above, clockwise from left: Reece Fulgham, CEO of cannabis operator Parallel, Lynnette French, COO of Parallel, Gene Tallman, President of goodblend Texas, cannabis advocate David Bass, and our Chase Bearden at goodblend's "Ride for Your Rights" CannaBus Tour Austin stop.

Criminal Justice



Following up on 2021 legislative successes, we testified at an interim hearing on the progress of HB 30, which mandates that the Texas Department of Criminal Justice (TDCJ) provide a high school education to all minors who have been charged as adults in their custody. This includes making sure **those who qualify for special education receive everything afforded to them under IDEA**. In addition, we met with Rep. Johnson's office to pre-file HB 3447, the **county jail medical family liaison** bill, which would increase transparency and agency in medical care for families of people with disabilities in county jails.

We testified at interim hearings regarding **women's programming in TDCJ that is inaccessible for women with disabilities**, as well as the **crisis at the Texas Juvenile Justice Department (TJJD)'s 5 state facilities**, which should be strategically closed with a plan to move kids into community care, or to build a new facility closer to urban areas.

In the Community

Workgroups

While legislative advocacy and work with state agencies are at the forefront of our efforts to build a barrier-free Texas, that's not all we do. Our staff serves on dozens of **workgroups, advisory councils, and boards**. These include groups focused explicitly on disability issues, like REV UP Texas and the ECI Advisory Committee, and those who benefit from having a voice from our community at the table, like the Drug Utilization Review Board and the Texas After Violence Project.

Advocacy Education

In 2022, **CTD staff presented at 29 panels, conferences, and other events**. Topics covered include self-advocacy, voting, public education, and safety in schools.

A few highlights:

- ▶ In February, we **convened a roundtable on large event accessibility**, to put SXSW (South by Southwest) organizers in conversation with disability organizations.
- ▶ In March, with our partners at VELA Families and funding from the AT&T Foundation, we presented two **webinars for parents of children with disabilities in public schools on how to advocate for compensatory services due to the pandemic**. Presentations were made in both English and Spanish and were so well received that we began work on additional bilingual training for parents to navigate special education systems.
- ▶ In July, we presented on **accessibility in elections** at the Texas Secretary of State's annual Election Law Seminar.
- ▶ Also that month, we led **mock legislative hearings at the Capitol for E4 Texas Program participants** (right, photo by Mike McDiarmid). E4 is a program at the University of Texas for improving access to post-secondary programs for young adults with disabilities.
- ▶ In August, we led an interactive and spirited session on **self-advocacy at the annual conference of the American Council of the Blind of Texas**. The discussions resulted in several policy recommendations.





Raise Your Voice!

At the grassroots level, we held **11 Raise Your Voice!** Advocate Connection Zoom calls in 2022. **Over 200 advocates and self-advocates** from across the state joined us to learn, give input on CTD’s advocacy work, and prepare to make our collective voices heard in 2023. Even though the Legislature did not meet in 2022, we had plenty to talk about:

- ▶ CTD staff and our guest speakers reviewed our priority issues—attendant wages, voting, education, and more—and signaled concerns and opportunities for the upcoming session.
- ▶ We spent time talking about the legislative process, opportunities for action in the interim, and tools to support self-advocacy.
- ▶ We supported advocates to participate in interim legislative activity, like attending hearings and submitting comment. Notably, **RYV attendees helped generate an astounding 12,000+ emails to state legislators ahead of interim hearings.**

In the News

Our staff or work appeared in **over 30 news articles** covering issues like juvenile and criminal justice, raising the wage of community attendants, and consumer protections in pharmaceutical policy. We also released several press statements responding to current events:

- ▶ Following the tragedy at Robb Elementary in Uvalde, Texas, we issued a word of caution to decision-makers against linking violence to mental health and disability.
- ▶ Earlier in 2022, our Governor proclaimed that gender-affirming care for transgender youth is tantamount to child abuse. Not only is this policy extremely harmful for trans kids, traumatizing them and worsening their physical and mental health; it also diverts limited resources away from kids who really need DFPS intervention—many of whom have disabilities.

Read these full statements and more at txdisabilities.org/about-us/media-kit.



Arts Programming

Cinema Touching Disability

Our Cinema Touching Disability Film Festival season began in August, with our **Lost Reel Short Film Showcase**, a 30-day online celebration of disability short films from all over the world. For the Lost Reel, we select finalists from our short film competition that weren't winners, but were outstanding nonetheless. Our 11 selections this year came from as far away as Bahrain and as close as our own backyard in Austin! Hundreds of viewers watched this year's slate of shorts.

We were delighted to be **back in the theater** October 14 and 15, for our **19th annual Cinema Touching Disability Film Festival!** We opened each night with winners of our international short film competition, the best of 52 entries from 19 different counties.

For this year's feature films, we screened two exciting disability documentaries. In *IMPERFECT* (2021), Phamaly, a Denver theatre company for disabled actors, mounts a production of the legendary musical, *Chicago*. Following the production from casting through opening night, viewers meet actors with disabilities ranging from spinal cord injury to Parkinson's Disease, cerebral palsy to autism, who tailor their performances to their individual strengths and uniqueness as disabled artists.

To get ready for *IMPERFECT*, our good friends from the **Body Shift Collective** performed a pop-up mixed ability dance improvisation on the Draffhouse patio (right, photo by Mike McDiarmid). Following the film, Austin's own inclusive theater company, **TILT Performance Group**, gave a sneak preview of *Strange Faces*, a Broadway musical about three people with autism and their families.



Our next feature was *CRUTCH* (2020), chronicling the gravity-defying life of Bill Shannon, an internationally renowned artist, break dancer and skate punk—on crutches. Two decades of exclusive access, plus a lifetime of archival footage, depict Bill from his early years to his rise as an award-winning dancer and cutting-edge performance artist whose work finds outlet at prestigious venues worldwide.





Our audience was thrilled (we were too!) to have **Bill Shannon in attendance** to demonstrate some moves before the show and answer audience questions following his film (left, photo by Mike McDiarmid).

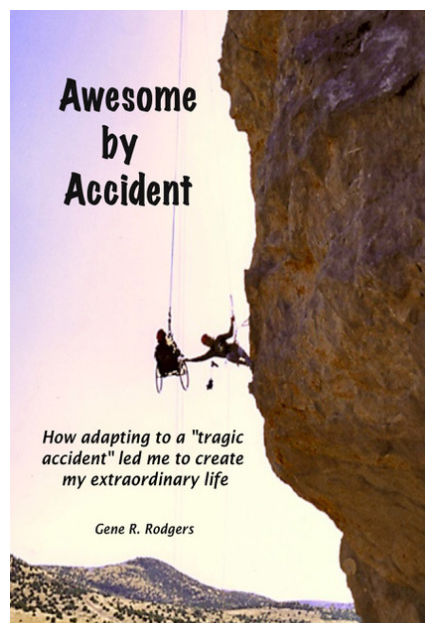
Literary events

Our **monthly Lion & Pirate inclusive open mic** (with partners Art Spark Texas and local bookseller Malvern Books) has remained virtual and well attended through the end of 2022. Each month, we featured a different artist(s) with a disability, before opening the mic to community participation. 2022 features included an opera singer, an actor who led some improv activities, poets, folk singers, dancers, and a poet-painter collaboration.

In addition to the Lion & Pirate, CTD partnered with Art Spark to co-present three **Thunder and Lightning virtual poetry showcases**, led by Denton-based poet Valois J. Vera, which exclusively featured the work of BIPOC disabled and queer disabled poets.

Finally, in July, we hosted the **virtual book launch for Awesome by Accident, the memoir of Gene Rodgers**, a longtime CTD member, friend, and world-traveler with a spinal cord injury (right). CTD's Dennis Borel penned the foreword to *Awesome by Accident*, in which he says, "while Gene is very entertaining, it is quite easy to see substance in all he does, and all of it is directed to positive social impact."

Awesome by Accident is available at multiple booksellers, visit genosplace.org to learn more and get your copy.





CDS Update

In our CDS Division, we completed a years-long **systems update** to make our operation more efficient and better serve our consumers. This update was already underway when the onerous requirements of Electronic Visit Verification (EVV) went into effect in Texas. The development of EVV severely hampered our progress, and it is difficult to summarize the mental and emotional toll it took on our staff and consumers and the drain it put on our resources. That we were finally able to launch our new system is an enormous win for those we serve.

In addition, we organized a major consulting project on **CDS best practices among** providers across the state. We're hopeful our collective recommendations result in meaningful, positive change!



Our hard-working CDS team, from left: CDS Director Kit Cuny, Payroll Administrators Laura Harrell, Rosie Williams, and Glenn Erickson, and COO Denise Ellison. Photo by Mike McDiarmid.





In Memoriam

Susie Angel

On August 20, 2022, with great pain, the CTD family said goodbye to our colleague and friend, Gloria Susan Angel (Susie). It's difficult to summarize Susie's impact on CTD and the Austin disability advocacy community (to say nothing of the many other communities she was a part of). She lived a life of power and impact, and we were privileged to be a part of it. Read our tribute to Susie at txdisabilities.org. Right, Susie at CTD's 40th birthday in 2018, photo by Vanessa Ramos.



Gene Rodgers

March 14, 2023, a long-time CTD member and friend, Gene Rodgers also passed away. An advocate as well as an Argonaut (often, they were one in the same), he was a pillar in the Austin disability community. We are thankful that Gene has left a treasure trove of videos, online content, and 2 printings of his memoir behind (visit genosplace.org). Still, we will miss our friend terribly. Right, with CTD's Dennis Borel.





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† The TCDD Policy Fellowship is supported by the Texas Council for Developmental Disabilities through a grant from the U.S. Administration for Community Living (ACL), Department of Health and Human Services (HHS), Washington, D.C. 20201, with a 100% federal funding award totaling \$6,121,860. Council efforts are those of the grantee and do not necessarily represent the official views of nor are endorsed by ACL, HHS, or the U.S. government.

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