

➤ ***A Welcome Surprise: State Budget Has \$876 Million Surplus***

To everyone's surprise, the state announced in early December that they project a surplus of \$876 million for this biennium ending June 30, 2013. This is good news for the disability community, because we were a potential target for more cuts if there was another large deficit. However, this good news is only temporary. Large deficits are projected for the next biennium. The surplus was due to increased state revenues and lower than expected state expenditures.



This means that 2012 is a critical year to engage in comprehensive planning to reform our system so self-direction becomes the norm for disability services. Opportunities for more self-direction include the MA Reform Waiver, Quality Council, Olmstead Advisory Commission, and the Rule 40 Committee, to name a few.

➤ ***Relative PCA Lawsuit: New Court Date Set; Possible Outcomes***

Ramsey County District Court has set the next hearing on the lawsuit in support of relative PCAs for Thursday, January 5th, at 9 a.m. at 15 West Kellogg Blvd., Courtroom 2030, in St. Paul.

The Arc Minnesota supports this lawsuit, and we hope it will rectify this unfair cut. However, it does create some lobbying challenges for us. If the lawsuit is successful, it would restore the \$24 million in cuts to PCAs caring for relatives. The Legislature would then be challenged to find \$24 million in savings somewhere else. Some legislative leaders have said the cut should instead be across-the-board for all PCAs. Another solution would be a cut across all programs traditionally included in across-the-board rate cuts. Still another solution is to use some of the \$876 million projected surplus, though at this time, that surplus is committed to replenishing the state's budget reserves and repaying schools for the delay in education funding payments. Finally, one more solution would be to find new sources of revenue. If the lawsuit is not successful, we will still work on a legislative remedy, though finding one will be challenging.

➤ ***Be at the State Capitol on January 31 and April 4th***

The Minnesota Legislature convenes its 2012 session on January 24, 2012. We want to make sure our voices are heard from the start of the session to the finish. Right after the session starts, The Arc Minnesota will host a "Tuesday at the Capitol" on January 31, 2012, sponsored by the Minnesota Consortium for Citizens with Disabilities. Meet us in the basement of the State Office Building that day at 10 a.m., and be ready to share your story with your legislators.

Later in the session, we cosponsor Disability Day at the Capitol on April 4th. We want to fill the Capitol with parents, self-advocates, and their supporters. More information on the January 31st event is coming; information about Disability Day at the Capitol is [on our website](#). Get updated information in the future by signing up for our new e-communications system, Capwiz. See below.

➤ ***Sign Up for Our New Action Alert System***

Haven't signed up yet for Capwiz, our new action alert network? We need you to do so. Capwiz is the new system we will start using in 2012 for all our e-communications (*Public Policy Update*, Action Alerts, *Snap*

Shots, etc.). Many on our current action alert network have not signed up yet. We need all of you to move to Capwiz and help us maintain and expand our network of advocates and supporters. For Capwiz to be effective, we need not only your e-mail address but your home address as well. Go to [our website site](#) to sign up today.

➤ **2012 Legislative Priorities Set**

The 2012 Legislative Session will be different than 2011. With the budget surplus, legislators want to finish their work quickly and limit the number of new bills that they consider. This makes it challenging to clean up issues from the 2011 session; e.g., the 20% cut for PCAs caring for relatives and the 10% cut to individuals with “low needs,” but we will still try. Legislators also plan to introduce constitutional amendments to require a voter ID and require that a supermajority (60 or 67% of the legislators) pass any new increase in taxes. Both amendments would harm persons with disabilities.



This year, we divided our priorities into Legislative and Policy areas, and we identified areas we will lead on, support, and monitor. Most of the progress in improving our service system in 2012 will be from working on policies. Through these improvements, we hope to not only increase self-direction, but also make more resources available to help those on the waiting list, a key concern of those of you who responded to our legislative priorities survey last month. Priorities that we will lead on include the following. A complete list will be available in early January.

2012 Legislative Priorities:

- Fix the 20% PCA cut to relatives
- Fix the 10% “low needs” congregate care cut
- Oppose voter ID and supermajority constitutional amendment proposals
- Protect Minnesota Special Education laws and rules

2012 Policy Priorities (participation on DHS committees, commissions, and councils):

- Medical Assistance Waiver Reform (includes waiting list issues)
- Consumer Directed Community Supports (CDCS) budget methodology and barriers to expansion
- Olmstead Advisory Commission and Rule 40 Committee
- Quality Council
- Housing Access Services

➤ **Set Aside March 7th to Honor METO Advocates**

Please join us as we recognize Shamus O’Meara and the plaintiff families in the Minnesota Extended Treatment Options (METO) lawsuit as the 2012 recipients of The Arc Minnesota’s Public Policy Award. We will honor him on March 7, 2012 at 6:00 p.m. O’Meara served as the lead attorney in the historic METO case, which brought justice to hundreds of individuals with disabilities. More information is coming.

➤ **METO Settlement Gets Final OK**

On December 1, 2011, Federal District Court Judge Donovan Frank listened to testimony from family members, advocates, and state officials related to the settlement agreement surrounding the abuse at METO. Judge Frank then approved the agreement. This settlement not only compensates several hundred individuals who were harmed while at METO; it also calls for the establishment of an Olmstead Advisory Commission, which will develop a comprehensive plan to ensure all Minnesotans with disabilities have the opportunity to live in the most integrated setting. In addition, it established a Rule 40 Committee to review and make recommendations about the use or elimination of aversive or deprivation procedures in state-funded programs.

The settlement agreement and extensive information about the METO case and settlement are available on the Minnesota Governor’s Council on Developmental Disabilities [website](#). A link to this page is also on the [Public Policy page](#) of our website, under the heading “Other Public Policy Resources.”