

AccessLetter

**Cambridge Commission for
Persons with Disabilities**

ADA Amendments Act Passes

People with disabilities will soon have better protection from discrimination under the Americans with Disabilities Act (ADA), thanks to a new law passed with broad bipartisan support by the U.S. Congress and signed by President Bush last month. Known as the ADA Amendments Act (ADAAA), the new law seeks to restore civil rights protections for people with disabilities, particularly in the employment area, that had been eroded by several negative U.S. Supreme Court decisions in the past ten years.

For example, in a 1999 case called *Sutton v. United Air Lines*, the Court had ruled that certain people with disabilities, who through the use of prosthetic devices, medications, corrective lenses, or other “mitigating measures”, had reduced their level of impairment, were no longer protected from discrimination.

This had the perverse result that people with disabilities who had successfully reduced or eliminated their impairments by using adaptive equipment or medications could then legally be discriminated against by an employer because they were no longer considered disabled under the ADA.

When it was passed back in 1990, the ADA had a definition of disability that was based on the one used in the Rehabilitation Act of 1973. It says that an individual with a disability is someone who 1.) has a physical or mental impairment that substantially limits one or more major life activities, 2.) has a record of such an impairment, or 3.) is regarded as having such an impairment.

Mental Health Parity Becomes Law

Advocates for better mental health services declared victory last month when a bill that included mental health parity was signed by President Bush.

Simply put, mental health parity means that health insurance companies must provide equivalent coverage for mental health and addictions treatment as they would for other types of medical and surgical treatment. Under the new law, group health plans cannot charge higher deductibles or copayments for treating mental illnesses than they do for treating physical illnesses, and inpatient hospitalization coverage must be the same for both types of illnesses. In addition, when health plans offer out-of-network benefits for medical or surgical care, they must also offer equivalent out-of-network coverage for mental health and addiction treatment.

Federal mental health administrators estimate the new mental health parity law will help provide mental health coverage to 113 million people, including 82 million people currently covered by employer-sponsored health plans not subject to state regulation. For most health plans, the new law will go into effect in January 2010.

Mental health advocates who have spent the past 12 years working for such legislation lauded passage of the new law. “This is a historic day and a great civil rights victory for millions of Americans who have been unable to access mental health treatment,” said David Shern, President and CEO of Mental Health America. “With approval of this bill, we will tear down the walls of stigma and discrimination and open the doors to the power and promise of treatment and



(More on ADA Amendments, page 2)

(More on Mental Health, page 2)

ADA Amendments (cont'd)

In 2002, in a case called *Toyota v. Williams*, the Supreme Court focused on the word “substantially” from the definition of disability, and said that it means “considerably” or “to a large degree.” The Court also narrowed the scope of “major life activity,” stating that it must be something that was of central importance to most people’s daily lives.



Between *Sutton* and *Toyota*, and other such court decisions, the definition of disability was narrowed to such a degree that most cases came to be more about whether a person met the definition of disability, rather than focusing on access or accommodation.

Now, under the ADAAA, businesses and other employers will not be permitted to take mitigating measures into account in determining whether an individual has a disability or not, and therefore whether they are eligible for civil rights protection under the ADA.

The ADAAA also emphasizes employers should broadly interpret the ADA definitions of “disability” and “major life activities”.

Disability rights advocates hailed the passage of the ADAAA. “Today President Bush has followed in his father’s footsteps and taken a stand for equal opportunity and full participation for all Americans,” said Andrew Imparato, President and CEO of the American Association of People with Disabilities. “I deeply appreciate the bipartisan leadership in the Congress that brought us to this point, and I thank President Bush for his leadership in signing this critical civil rights law that will make a real difference in the lives of millions of Americans with disabilities

and chronic health conditions.” The ADAAA goes into effect January 1, 2009.

Portions of this article are based on an E-bulletin by the Southwest ADA Center at ILRU. To read the full E-bulletin, visit: <www.dlrp.org>.

Mental Health Parity (cont'd)

recovery. It recognizes that mental health disorders are every bit as debilitating, and just as treatable, as cancer and diabetes.” This mental health parity issue was folded into the Wall Street bailout bill that was passed with bipartisan support last month.

Balance problems? Step into the *iShoe*

Your grandmother might have little in common with an astronaut, but both could benefit from a new device an MIT graduate student is designing to test balancing ability.

The *iShoe* insole could help doctors detect balance problems before a catastrophic fall occurs, says Erez Lieberman, a graduate student in the Harvard-MIT Division of Health Sciences and Technology who developed the technology as an intern at NASA.

Falls among the elderly are common and can be deadly: In 2005, nearly 300,000 Americans suffered hip fractures after a fall, and an average of 24 percent of hip-fracture patients aged 50 and over die in the year following their fracture, according to the National Osteoporosis Foundation.

Lieberman is now testing the *iShoe* technology in a small group of patients. The current model is equipped to diagnose balance problems, but future versions could help correct such problems, by providing sensory stimulation to the feet when the wearer is off-kilter. “By doing that [replacing the sense of proprioception] we can improve people’s balance,” Lieberman says.

Lieberman and other *iShoe* team members have applied for a patent on the technology, to be jointly held by MIT, Harvard and NASA. In April, the company won a \$50,000 grant from the Lunar Ventures Competition to help with start-up costs. Lieberman originally developed the technology to help NASA monitor balance problems in astronauts returning from space.

Lieberman soon realized that the technology could reach a wider audience than just astronauts. His own grandmother suffered a bad fall several years ago, and he theorized that a balance diagnostic could help doctors catch



Erez Lieberman and the iShoe

colleagues are now testing the device in about 60 people, hoping to generate data that will help them create a model to predict the risk of a fall.

balance problems before such a fall occurs. "You have a gradual progression of loss of balance, osteoporosis, and other factors that can lead to the fall," Lieberman says.

The *iShoe* insole would measure and analyze the pressure distribution of the patient's foot and report back to their doctor. The device could also be outfitted with an alarm that would alert family members when a fall has occurred. Lieberman and his

Upcoming Events of Interest to the Disability Community

November 4 ELECTION DAY (National & State) – Disabled people VOTE!

Nov. 4 & 6 **MDDA (Manic Depression & Depressive Association) Support Group** at Mass. General Hospital meets every Tuesday and Thursday, 7 to 9 p.m. on the 4th floor in the Yawkey Building. Follow the signs. Meetings are free and open to public. For more information call 617-855-2795.

Nov. 5 **Injured Worker Support Meetings** – (previously listed as RSI – repetitive strain injury) has a new format that replaces the former drop-in group held the first Wednesday of each month. Meetings will now scheduled by appointment, often on the first Wednesday of each month, 5:15 - 6:45 pm but other times can be arranged. Call RSI Action at 617-247-6827 to set up a meeting. Meetings/appointments usually take place at 650 Beacon Street, Kenmore Square, Boston, 4th Floor Conference Room, near Kenmore Square, but other locations are possible. Volunteers answer questions, provide resources and support. For more information, call 617-247-6827, or go to <www.rsiaction.org>.

Nov. 5 **Weekly support group for adults with LD/ADHD** (learning disabilities & attention deficit hyperactivity disorder) meets in Cambridge near Harvard Square, 6-7:30 p.m. every Wednesday. If you are interested, contact Angelica Sawyer at 617- 661-3117.

Nov. 5 **NAMI Connection** – a support group for adults with mental illness, meets every Wednesday evening, 7- 8:30 pm at Cambridge Hospital, 3rd Floor, Learning Center rooms C & D. The group is **free** and open to all who self-identify as having a mental illness, regardless of diagnosis. For more information, contact Carter at 617-776-7972 or <stbosal@arczip.com>.

- Nov. 5 **Manic Depression & Depressive Association (MDDA) Bipolar Support Group** meets every Wednesday evening, 7 - 9 p.m. at McLean Hospital in Belmont (Demarneffe Building, 1st floor lobby). Includes a lecture; 7 - 8 p.m., on the 2nd and 4th Wednesdays. Call 617-855-3665 for more information.
- Nov. 7-8 **Planning a Life: Making the Most Out of High School** - a 2 day conference on Transition planning and resources for and about students in Special Education ages 14-22. Transition planning needs to be on schedule to insure a systematic and purposeful educational experience. Topics include self advocacy issues, how to develop individualized transition goals, housing, postsecondary and employment options. Presented by the Federation for Children with Special Needs (FCSN), this conference will be at the Federation Offices, 1135 Tremont Street, Suite 420, Boston, MA. **It will be repeated in February and April in central Mass and Springfield.** Registration is \$100/person or \$150/ family; space is limited. Through a grant from MRC, registration is FREE for eligible families in Boston, Worcester and Springfield Public Schools. For more information contact Terri McLaughlin, Transition Specialist, at 617- 236-7210 x 336 or <tmclaugh@fcsn.org>
- Nov. 8 **Free Flu Clinic for People with Disabilities** – Saturday morning at Tobin School, 197 Vassel Lane near Fresh Pond Parkway. Vaccine will be available as a shot or as a nasal spray which is ideal for kids. A special station will be set up near the entrance for people with disabilities. For more information, and other Flu Clinic dates, contact Stacey King at 617-665-3852 or <seking@challiance.org>.
- Nov. 8 **Through the Roof** – This seminar from 8:30 am to 2 pm at Chapel of the Cross in Westborough by *Joni and Friends* will help churches learn how to be more inclusive of people with disabilities. Persons and families living with disabilities, pastors, church ministry staff, and professionals in the disability field are encouraged to attend; fee is \$20/person. Program includes a presentation, 2 workshop sessions and the option of staying for lunch and networking. For more information and to register, contact Joni and Friends of Greater Boston at <GreaterBoston@joniandfriends.org> or 617-723-1750 or
- Nov. 8 **Tunefoolery Fundraiser and Silent Auction** – with music, food, open bar from 7:30 - 10 pm at Karma Yoga Studio, 1120 Massachusetts Ave. in Cambridge. Tickets are \$20. Tunefoolery is a group of 50 musicians affected by mental illness that perform for all kinds of occasions, give music lessons, offer workshops and have a retreat each summer along with educating people about mental illness.
- Nov. 11 **Boston Voice Users is a group for people who use speech recognition or dictation software.** They meet 7:30 – 9:30 pm on the 2nd Tuesday of each month at MIT in Building 2, Rm.135. To find out more about meetings and discussions go to <www.bostonvoiceusers.org>. They will meet on Nov. 11.
- Nov. 13 **Center Club's 49th Annual Open House** – from 1to 4 pm at 31 Bowker Street in Boston will provide opportunity to learn about their programs for people with psychiatric disabilities.Center Club combines employment, housing and education services with social activities and advocacy using an empowering holistic approach. The club is a membership program with members participating on a voluntary basis. For more information, contact **Mary Gregorio**, Program Director at 617-788-1000 or got to <www.centerclubboston.org>.
- Nov. 13 **Cambridge Commission for Persons with Disabilities (CCPD) monthly meeting** – 51 Inman Street, 2nd floor Conference Room, 5:30 to 7 p.m. with opportunity for public comment.
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- Nov. 13 **Beyond the Ramp: Opening Doors for People with Disabilities** – This 6 – 9 pm forum at the Leventhal-Sidman Jewish Community Center will provide information for parents and caregivers on DDS eligibility, advocacy, financial planning, and interventions. Tickets are \$10/person or \$15/family. The address is 333 Nahanton Street in Newton. To register, contact Judy Pearl at 617558-6508 or <jpearl@jccgb.org>.
- Nov. 13 **Basic Rights workshop in Lynn** – Presents families with an introduction to their rights and responsibilities under the Individuals with Disabilities Education Act (IDEA), Massachusetts Special Education Law and No Child Left Behind (NCLB). It is designed to help parents learn how to be effective partners with the school, to decide the child's eligibility for special education, to plan, make decisions and to monitor the educational progress of their child. Workshop materials are also available in Spanish, Portuguese and Russian. Presented by the Federation for Children with Special Needs (FCSN), this workshop will be offered at the Breed Middle School, O'Callahan Way in Lynn, 7 - 9 p.m. Register by contacting FCSN at 617-236-7210 or 800-331-0688 or online at <register@fscn.org>.
- Nov. 16 **Peace & Justice Awards Dinner – Bet MacArthur, longtime disability activist** and member of the Cambridge Commission for Persons with Disabilities will be one of the ten amazing individuals and four organizations honored this year by the Cambridge Peace Commission. The Sunday evening event, 4-7 pm at the **Dante Alighieri Cultural Center** at 41 Hampshire St. in Cambridge includes an informal dinner, address by activist Rev. Edward Rodman of Episcopal Divinity School, and presentations to the recipients. For more information or to **RSVP**, contact Executive Director Brian Corr at 617-349-4694 or <bcorr@cambridgema.gov>. A donation of \$10/ adults and \$5/children is suggested to help defray costs.
- Nov. 18 **Disability Policy Consortium (DPC) monthly meeting** on 3rd Tuesday of month, 1 – 3 pm at the State House, Room A-1, in Boston.
- Nov. 18 **MCAS workshop in Medford** – program will help parents understand how their children with disabilities can participate in a meaningful way in the Mass. Comprehensive Assessment System (MCAS). Accommodations and alternate assessments available so that students can demonstrate what they have learned will be discussed. Presented by the Federation for Children with Special Needs (FCSN), this workshop will be offered at the South Medford Fire Station Community Room, Zero Medford Street, 7-9 pm. p.m. Register by contacting FCSN at 617-236-7210 or 800-331-0688 or online at <register@fscn.org>.
- Nov. 18-20 **Build Boston** – Annual construction industry fair with exhibits and workshops at the Seaport World Trade Center in Boston. Sponsored by the Boston Society of Architects, the convention includes some workshops on Universal Design. Registration fees vary with events and number of days one attends. For more information go to <www.buildboston.com> or call 800-544-1898.
- Nov. 19 **Access Advisory Committee to the MBTA** meets 1 to 3 p.m. at State Transportation Building, 10 Park Plaza, Boston, 2nd floor Conference Room #2. Call 617-973-7507 voice, or 617-973-7089 TTY for more information or request Interpreters. Security measures require proper ID for access to meetings.
- Nov. 20 **Autism Support Group** – meets 3rd Thursday of each month, 6:30 to 8:30 p.m. at the Central Square Branch of Cambridge Public Library, 45 Pearl Street in Cambridge. For more information contact Lorraine Iacopucci at <liacopucci@nsarc.org> or 978-624-2304.
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- Nov. 21 **Social Safety & Vulnerability in Adolescents and Adults with Asperger's Syndrome: Avoiding Exploitation and Aggression by Others** – a seminar for professionals presented by Dr. Valerie Stone, 9:15 am to 12-30 pm at Wellesley Police Station, 485 Washington St. in Wellesley. Registration fee is \$100; CEUs available. For more information contact Asperger's Assn of New England at 617-393-3824 or Dania Jekel <info@aane.org>.
- Nov. 22 **Art & Empire: Treasures from Assyria exhibit at MFA guided ASL tour at 1 p.m.** – This FREE tour at the Museum of Fine Arts (MFA) in Boston includes admission to the museum but pre-registration is required. To register contact Valarie Burrows at 617-369-3302 or <access@mfa.org>. A limited number of free passes to this visiting exhibit from the British Museum that runs until January 4 are available through the Access Office of MFA by contacting the number above. The museum can be reached via the MBTA Green Line to MFA stop, or Orange Line to Ruggles Station and walk to Museum Road. Parking is available for a fee.
- Dec. 2 & 4 **MDDA (Manic Depression & Depressive Association) Support Group** at Mass. General Hospital meets every Tuesday and Thursday, 7 to 9 p.m. on the 4th floor in the Yawkey Building. Follow the signs. Meetings are free and open to public. For more information call 617-855-2795.
- Dec. 3 **Injured Worker Support Meetings** – (*previously listed as RSI – repetitive strain injury*) Meetings are scheduled by appointment, often on the first Wednesday of each month from 5:15 - 6:45 pm but other times can be arranged. See listing for Nov. 5 for details.
- Dec. 3 **Manic Depression & Depressive Association (MDDA) Bipolar Support Group** meets every Wednesday evening, 7 to 9 p.m. at McLean Hospital in Belmont (See Sept. 3 for details.)
- Dec. 9 **Boston Voice Users** meets 7:30 to 9:30 p.m. at MIT. See listing on Nov. 11 for details.
- Dec. 11 **Cambridge Commission for Persons with Disabilities (CCPD) monthly meeting and Holiday Gathering** – 51 Inman Street, 2nd floor Conference Room, 5:30 to 7 p.m. with opportunity for public comment. Please bring a holiday treat to share.
- Dec. 17 **Access Advisory Committee to the MBTA** meets 1 to 3 p.m. See Nov. 19 listing for details.
- Dec. 17 **Disability Policy Consortium (DPC) monthly meeting** 1-3 p.m. at the State House, Room A-1
- Dec. 18 **Autism Support Group in Cambridge** – meets 3rd Thursday of month. See Nov. 20 for details.
- Jan. 10 **Cambridge Commission for Persons with Disabilities (CCPD) monthly meeting** – 51 Inman Street, 2nd floor Conference Room, 5:30 to 7 p.m. with opportunity for public comment.
- Jan. 14 **Basic Rights workshop in Watertown** – provides families with an introduction to their rights and responsibilities under the Individuals with Disabilities Education Act (IDEA), Massachusetts Special Education Law and No Child Left Behind (NCLB). It is designed to help parents learn how to be effective partners with the school, to decide the child's eligibility for special education, to plan, make decisions and to monitor the educational progress of their child. Workshop materials are also available in Spanish, Portuguese and Russian. Presented by the Federation for Children with Special Needs (FCSN), this workshop will be offered at the Lowell School Library, 175 Orchard Street, 7:30 - 9 p.m. Register by contacting FCSN at 617-236-7210 or 800-331-0688 or online at <register@fscn.org>.
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Cambridge Commission for Persons with Disabilities

The Commission was established in 1979 to act as a clearinghouse on disability and access issues throughout the City of Cambridge. We strive to raise awareness of disability matters, to eliminate discrimination, and to promote equal opportunity for people with all types of disabilities – physical, mental and sensory. The Commission provides information, referral, guidance, and technical assistance to individuals and their families, employers, public agencies, businesses and private non-profit organizations.

The goal of our 11-member citizen advisory board, comprised primarily of individuals with disabilities, is to maximize access to all aspects of Cambridge community life. Our regularly scheduled Commission meetings, which always include an opportunity for public comment, are held at 5:30 p.m. on the second Thursday of each month.

Access Notice: The City of Cambridge and Commission for Persons with Disabilities do not discriminate on the basis of disability. This newsletter is available in e-mail, large print and other alternative formats upon request. To add your name to our mailing list, to inquire about alternative formats, or for information about other auxiliary aids and services or reasonable modifications in policies and procedures, contact CCPD.

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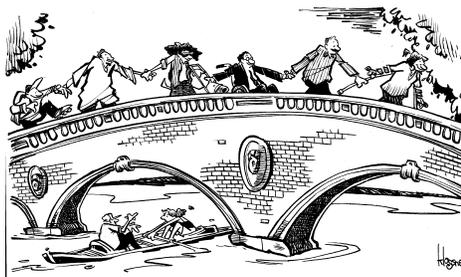
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We welcome your articles, comments, criticisms, and suggestions. Write us!

Read past issues on our website: www.cambridgema.gov/DHSP2/disabilities.cfm

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