

THE ARC OF NC  
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## DATES TO REMEMBER

### TASH

- **Nov 9-12**  
**Milwaukee**
- **NC TASH**  
**Nov 16-18**  
**Raleigh**

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# The Arc Talks...

[www.arcnc.org](http://www.arcnc.org)

November 2005

## New Communication

The Arc of North Carolina is revamping its communications efforts.

Beginning November 15, The Arc of NC's website will be updated weekly with the addition of a "Hot News" section on the home page. The address is [www.arcnc.org](http://www.arcnc.org). The Hot News section will feature up-to-date information about services, upcoming conferences, news stories, and what's going on with The Arc.

We would like to include information about local

chapters too. If your chapter has news, please e-mail [lguzman@arcnc.org](mailto:lguzman@arcnc.org).



**Get the news faster, more often, and directly to your computer**

Along with the up-to-date website, The Arc is also changing the quarterly newsletter.

Arc Works, our paper

newsletter has become The Arc Works!

The Arc Works! will be published six times a year. Only 2 of the 6 editions will be mailed as paper copies. The Arc Works! will be e-mailed directly to all who sign up.

To sign up for The Arc Works! go to [The Arc of NC's webpage](#) Follow the directions located in the "Action Alerts and Electronic Newsletter" box.

All Members of The Arc are being mailed this information.

## Medicare Part D Information

Enrollment for the Medicare Prescription Drug plans begins November 15, 2005 and ends May 15, 2006. If someone enrolls by December 31, 2005, the new Medicare Prescription Drug coverage will begin on January 1, 2006. The Medicare Prescription

Drug plans will be sold by private companies whose plans have been approved by Medicare. These plans will be called Medicare Prescription Drug Plans or PDPs. You can identify an approved plan by the MedicareRx logo.

There is assistance avail-

able for people with Medicare who have limited incomes and resources. People who also have Medicaid will have their drug coverage provided by Medicare beginning 1/1/2006. There is additional information on **page four** of this issue of The Arc Talks...

Disclaimer: The Arc Talks... published monthly by The Arc of North Carolina includes information about products and services of interest to our membership. The Arc does not endorse the use of these products and services.

# Board Chair: Making Your Mark

1. **Choose three objectives for the year**—that you want to accomplish as board chair—one for the organization, one for the board, one for yourself.

Examples of goals for the organization: Lead the board in an evaluation of the executive director. Get the accounting system straightened out.

For the board: Have a substantial discussion on an important topic at every meeting. Recruit three new board members that add racial, ethnic or age diversity to the board. Have two social events so board members get to know one another. Organize a tour of the facility for board members.

For myself: Get to know the executive director better—have lunch at least twice during the year. Spend a night walking with the outreach workers as they work with homeless people living on the streets. Ask the artistic director if you can watch a rehearsal. Volunteer at the organization in another way than being on the board.

## 2. Work with the ED to develop an agenda for the year.

If the board has six meetings per year, sketch out an agenda for the year. Example:

### January:

- a) Discuss plans for upcoming fundraising event.
- b) Agree on priorities for board recruitment and discuss a brainstormed list of candidates.
- c) Hear report from Conflict of Interest Policy Task Force; review draft of conflict of interest policy and if possible, adopt.

### April:

- a) Executive director evaluation—discuss process.
- b) Hear report on financial health from Board Treasurer; review and adopt budget.
- c) Elect 2 – 4 new members to the board.
- d) See if there are issues in the June election about which the organization should take a stand, and if so, determine a process and activities around doing so.

### July:

- a) In executive session (no staff present), the Board President reports on executive director

evaluation; salary is discussed and agreed upon.

- b) Have report/discussion on external developments that affect us: possibly government policies, a merger of two other organizations in our field, a new partnership with an all-volunteer organization, or as determined.

- c) Tour of the facility for board members.

### October:

- a) Vote on officers for upcoming year.
- b) Identify the top three concerns for the organization and have a 15-minute briefing on each one.
- c) Discussion of succession planning for the executive director.
- d) Have report from Governance Committee on results of the self-assessment survey of the board.

**3. Plan to meet board members individually**—even if you meet with just one per month it will be worthwhile. Ask each one: what would you like to do for XXX that we haven't asked you to do yet? When is a time on this board that you felt the board was doing a good job? That you were being personally effective? If there was one thing you'd like me to accomplish as board chair, what would it be?

## 4. Make sure the meetings are conducted well.

For Ten Ways To Invigorate Board Meetings (one of the most reprinted Board Café articles), see [http://www4.compasspoint.org/cpDir/files/documents/bc\\_2004\\_08.pdf](http://www4.compasspoint.org/cpDir/files/documents/bc_2004_08.pdf)

Learn more about being the board chair and board-staff relationships in *The Best of the Board Café*, available at [www.compasspoint.org](http://www.compasspoint.org) or also available on amazon.com.

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## Monday Memo

### Monday Memo – News and information from The Arc of the United States Excerpts from October 2005

**CONGRATULATIONS** The Arc congratulates Director of Professional and Family Services Sharon Davis on being honored by the New England Coalition for Supporting Parents with Cognitive Challenges and The United Arc of Franklin and Hampshire Counties' Positive Parenting Resource Center. Sharon was recognized for "visionary leadership in creating a national network of organizations dedicated to best practices in services and support for parents with cognitive delays and their families." The award, in the form of a plaque, was presented to Sharon last week at a meeting at the College of the Holy Cross in Worcester, Massachusetts.

**IN THE NEWS-** The Wall Street Journal published a letter authored by President of The Arc Leo Berggreen last Monday, bringing The Arc's message to a large audience of influential opinion leaders. The letter reads as follows:

"Two recent Wall Street Journal reports (*Safe Place: Disabled People Find Group Homes Can be Broken, Too* on September 13 and *Difficult Choices: Needing Assistance, Parents of Disabled Resort to Extremes* on September 20) offer a compelling argument for devoting sufficient resources to further develop community living options for people with intellectual disabilities.

The deinstitutionalization movement has demonstrated that any services and supports provided at institutions can be – and in many places, currently are – provided at in-home settings within our neighborhoods. Most often, these services are provided less expensively in the community than in institutions. More importantly, community-based services and supports do not tear families apart, nor do they condemn people with intellectual disabilities to lives of isolation and unfulfilled potential.

Professionals and volunteers within the disability field are in general agreement that institu-

tionalization is no longer a viable option for providing quality services and supports. Just as our nation once committed adequate resources toward building the institutions that were then considered appropriate, we must now make the decision to fund services and housing that allow some of our society's most vulnerable citizens to live their lives as *a part of the community rather than apart from it.*"

**GO DIRECT** – The Arc is partnering with Go Direct, a national campaign sponsored by the U.S. Department of the Treasury and the Federal Reserve Bank, to encourage people receiving Social Security Income payments by check to switch to direct deposit. Direct deposit eliminates the risk of lost or stolen checks, reduces fraud, and gives people more control over their money. In addition, direct deposit provides people with immediate access to their money from virtually everywhere. If every current federal benefit check recipient switched to direct deposit, taxpayers would save about \$120 million each year. For more information about Go Direct, visit [www.godirect.org](http://www.godirect.org).

**INSIGHT** – The latest edition of The Arc *inSight* is in the mail. If you haven't received it yet, you will shortly. This issue of *inSight* contains The Arc's annual report in the center section. In addition, you'll find some answers to questions about the new Medicare prescription drug coverage for those receiving both Medicare and Medicaid benefits, Executive Director of The Arc Sue Swenson's debut column in her new position, and compelling contributions from our contributing writers. If you'd like to submit an item to be considered for inclusion in *inSight*, please contact Chris Privett at [privett@thearc.org](mailto:privett@thearc.org).

**"Professionals and volunteers within the disability field are in general agreement that institutionalization is no longer a viable option for providing quality services and supports."**  
Leo Berggreen



Medicare Part D  
Information

“Sign up for Your  
Medicare PDP  
with help from a  
SHIIP  
representative”

Have questions about **Medicare Prescription Drug Plans?**

Get answers at the free

## SHIIP Medicare Prescription Drug Plan Expo

Tuesday, Nov. 15, 2005  
Greensboro Coliseum  
10 a.m. to 2 p.m.

- receive free one-on-one PDP counseling from trained professionals with your North Carolina Department of Insurance
- learn what PDPs are available to you and what options they offer
- talk directly to PDP companies
- sign up for your Medicare PDP with help from a SHIIP representative



**1-800-443-9354**

[www.ncshiip.com](http://www.ncshiip.com)

Seniors' Health Insurance Information Program  
North Carolina Department of Insurance  
Jim Long, Commissioner

# 90 Day Refills

If you are a North Carolina Medicaid recipient who has Medicare, your prescription drugs will begin to be covered by Medicare Part D as of January 1, 2006. You will be enrolling in a drug plan beginning in November. You will still be eligible for Medicaid to assist in paying other medical services.

To assist you in ensuring you have enough of your prescriptions during the transition in January, Medicaid does cover a 90-day supply of non-controlled, generic, maintenance medications as long as:

1. The doctor has written the prescription for a 90-day supply to be given at one time; and
2. Medicaid has paid for the medication in the past 6 months.

You may wish to talk with your prescriber or pharmacist before December 31, 2005 about getting a prescription for a 90-day supply for any of your prescriptions you currently take that qualify for the 90-day supply.

## For People who have Both Medicare and Medicaid

Starting in January 1, 2006, Medicare will help pay for your prescription drugs instead of Medicaid. This is called Medicare Part D.

As a North Carolina Medicaid recipient who is also on Medicare, you are automatically eligible for Medicare Part D and you will receive a Low Income Subsidy. You do not need to apply.

You will be covered by

one of several Prescription Drug Plans. You DO need to choose and join a Prescription Drug Plan.

If you are a recipient of both Medicaid and Medicare and you do not join a plan by December 31, 2005, Medicare will enroll you in a plan and your coverage will begin on January 1, 2006.

If you are a recipient of Medicare's MQB bene-

fits, you can join a Medicare prescription drug plan between November 15, 2005 and May 15, 2006.

If you join by December 31, 2005, your Medicare prescription drug plan coverage will begin on January 1, 2006. If you join after that, your coverage will be effective the first day of the month after the month you join.

## DIFFERENCES FROM MEDICAID PRESCRIPTION DRUG COVERAGE

### What are the key differences between Medicaid prescription drug coverage and the new [Medicare Prescription Drug Plans \(PDPs\)](#)?

- The private PDPs may have limited formularies or may place other restrictions on access to the medications a beneficiary needs.
- Cost sharing likely will be higher (except for individuals who live in Intermediate Care Facilities for the Mentally Retarded (ICFs/MR)).
- Unlike Medicaid, there is no requirement to dispense an emergency supply of medications pending an appeal in a case where a plan seeks to deny coverage for a specific drug.
- Unlike Medicaid, pharmacists are permitted to deny medications if beneficiaries are unable to pay the [co-pays](#).
- Current Medicaid rules limit these potentially harmful actions that can disrupt treatments and put the health of dual eligibles at-risk, but the Medicaid rules will not apply to [dual eligibles](#) when they transition to Medicare prescription drug coverage.

This is excerpted from: [A Guide To Medicare Part D Prescription Drug Coverage for people with developmental disabilities.](#)

[www.thedesk.info/partd](http://www.thedesk.info/partd)

## Important Dates

The Dates Document below comes from the publication: [A Guide To Medicare Part D Prescription Drug Coverage for people with developmental disabilities.](#)

- **October 13, 2005:** [CMS](#)' Prescription Drug Plan Finder tool will be available on the Internet at [www.Medicare.gov](http://www.Medicare.gov).
- **Mid-October – early November 2005:** A letter will arrive from CMS notifying each dual eligible or their representative payee of the prescription drug plan (PDP) to which he/she has been [auto-assigned](#).
- **October 15 – December 31, 2005.** CMS is engaged in their beneficiary education campaign including the release of the updated "Medicare and You" handbook. People who have been auto-assigned to a plan should see if the plan will meet their needs, if not, research other plans.
- **November 15, 2005:** Starting on this date, dual eligibles ([or their legally authorized representatives](#)) will be able to switch from the dual eligible's assigned drug plan to another prescription drug plan.
- **December 31, 2005:** Medicaid prescription drug coverage ends for people who receive both Medicaid and Medicare. These dual eligibles will still be covered by Medicaid, but their medications will be provided under the rules established for the new *Medicare* drug coverage.
- **January 1, 2006:** Medicare prescription drug coverage begins. Dual eligibles must follow the rules of this new system to receive their prescription drugs.

# Information about the New IDEA from the US Dept. of Education

## IDEA—Reauthorized Statute INDIVIDUALIZED EDUCATION PROGRAM (IEP) TEAM MEETINGS AND CHANGES TO THE IEP

The reauthorized *Individuals with Disabilities Education Act* (IDEA) was signed into law on Dec. 3, 2004, by President George W. Bush. The provisions of the act became effective on July 1, 2005, with the exception of some of the elements pertaining to the definition of a “highly qualified teacher” that took effect upon the signing of the act. This is one in a series of documents, prepared by the Office of Special Education and Rehabilitative Services (OSERS) in the U.S. Department of Education, that covers a variety of high-interest topics and brings together the statutory language related to those topics to support constituents in preparing to implement the new requirements.<sup>1</sup> This document addresses only the changes to the provisions of IDEA regarding individualized education program (IEP) team meetings and changes to the IEP that took effect on July 1, 2005. It does not address any changes that may be made by the final regulations.

### **IDEA 2004:**

#### **I. Revises language regarding members of the IEP team.**

The term “IEP team” means a group of individuals composed of:

- The parents of a child with a disability;
  - Not less than one regular education teacher of such child (if the child is, or may be, participating in the regular education environment);
  - Not less than one special education teacher, or where appropriate, not less than one special education provider of such child;
  - A representative of the local education agency (LEA) who is: qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; knowledgeable about the general education curriculum; and knowledgeable about the availability of resources of the LEA;
  - An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described above;
  - At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and
- Whenever appropriate, the child with a disability.

[614(d)(1)(B)]



## **2. Identifies when IEP team meeting attendance is not necessary.**

A member of the IEP team shall not be required to attend an IEP meeting, in whole or in part, if the parent of a child with a disability and the LEA agree that the attendance of such member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.

A parent's agreement shall be in writing. [614(d)(1)(C)(i), (iii)]

## **3. Authorizes excusals from IEP meetings.**

A member of the IEP team may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services if:

- The parent and the LEA consent to the excusal; and

The member submits, in writing to the parent and the team, input into the development of the IEP prior to the meeting.

The parent's consent shall be in writing. [614(d)(1)(C)(ii), (iii)]

## **4. Adds new provisions for making changes to the IEP.**

In making changes to a child's IEP after the annual IEP meeting for a school year, the parent of a child with a disability and the LEA may agree not to convene an IEP meeting for the purposes of making such changes and, instead, may develop a written document to amend or modify the child's current IEP. [614(d)(3)(D)]

Changes to the IEP may be made either by the entire IEP team or, as provided in Section 614(d)(3)(D), by amending the IEP rather than by redrafting the entire IEP. Upon request, a parent shall be provided with a revised copy of the IEP with the amendments incorporated. [614(d)(3)(F)]

## **5. Encourages consolidation of IEP meetings.**

To the extent possible, the LEA shall encourage the consolidation of reevaluation meetings and other IEP team meetings for the child. [614(d)(3)(E)]

## **6. Authorizes alternative means of meeting participation.**

When conducting IEP team meetings and placement meetings pursuant to Sections 614, 615(e), and 615(f)(1)(B), and carrying out administrative matters under Section 615 (such as scheduling, exchange of witness lists and status conferences), the parent of a child with a disability and an LEA may agree to use alternative means of meeting participation, such as video conferences and conference calls. [614(f)]

<sup>1</sup> Topics in this series include: Alignment With the *No Child Left Behind Act*; Changes in Initial Evaluation and Reevaluation; Children Enrolled by Their Parents in Private Schools; Discipline; Disproportionality and Overidentification; Early Intervening Services; Highly Qualified Teachers; Individualized Education Program (IEP) Team Meetings and Changes to the IEP; Individualized Education Program (IEP); Local Funding; National Instructional Materials Accessibility Standard (NIMAS); Part C Amendments in *IDEA 2004*; Part C Option: Age 3 to Kindergarten Age; Procedural Safeguards: Surrogates, Notice and Consent; Procedural Safeguards: Mediation and Resolution Sessions; Procedural Safeguards: Due Process Hearings; Secondary Transition; State Funding; and Statewide and Districtwide Assessments. Documents are available on the OSERS Web site at: [www.ed.gov/about/offices/list/osers/index.html](http://www.ed.gov/about/offices/list/osers/index.html).



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**The Arc Talks... is a monthly publication designed for local chapters of The Arc of North Carolina. If you have received this publication and are not a member of The Arc in North Carolina, please consider joining. To find the chapter in your area call The Arc of NC at 1-800-662-8706 or visit the website at [www.arcnc.org](http://www.arcnc.org)**

## Show your Support for The Arc!

### On Sale Now!

If you missed buying one at convention, we still have a few t-shirts left. The shirts are white and have The Arc logo on the front and the "Riding the Wave of the Future" logo on the back. Sizes available are small-X-Large. The cost is \$8.00 plus postage.

There are also a few tote bags left as well. These bags are fantastic, with lots of room, hidden pockets, and water bottle holders on the sides. They are black and light blue with The Arc logo featured

prominently. . The tote bags are \$5.00 plus postage.

To order either of these items, just call Ricky Terry at The Arc of NC at 1-800-662-8706 or e-mail her at: [rterry@arcnc.org](mailto:rterry@arcnc.org).

