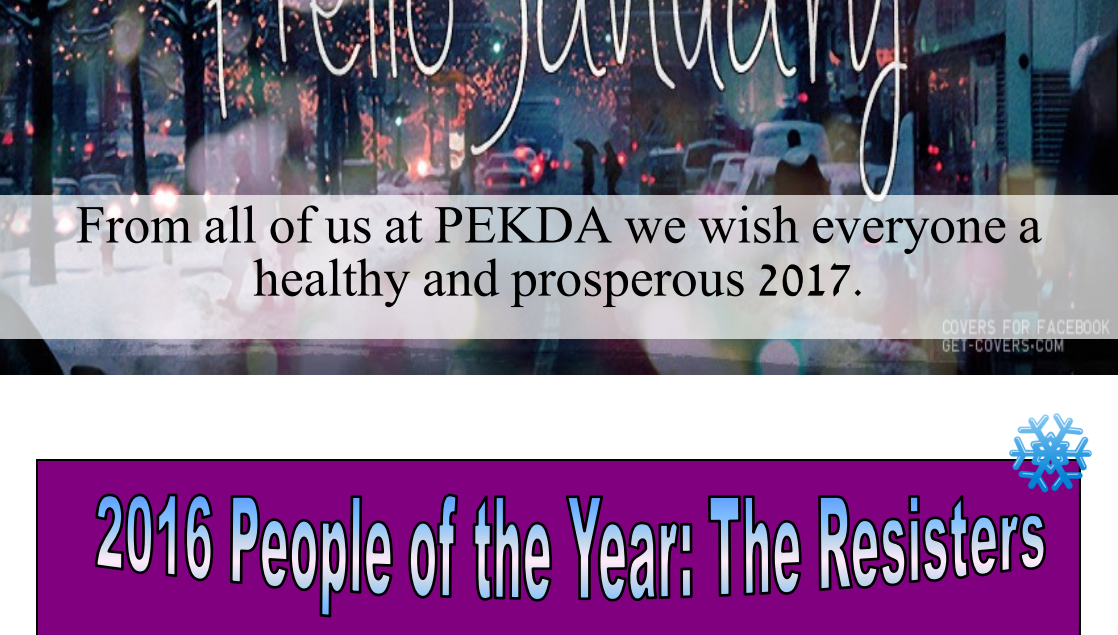


Patricia E. Kefalas Dudek & Associates

Protecting and Inspiring Dignity
and Respect

January 2017



From all of us at PEKDA we wish everyone a healthy and prosperous 2017.

COVERS FOR FACEBOOK
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2016 People of the Year: The Resisters

For the disabled community around the world, the fight continues for respect, understanding, and inclusion. Published in *New Mobility* and highlighted in *Not Dead Yet News*, Josie Byzek's article "2016 People of the Year: The Resisters" outlines some of the high-profile "better dead than disabled" issues of 2016. The article also highlights 6 of the activists & organizers who took on these fights last year.

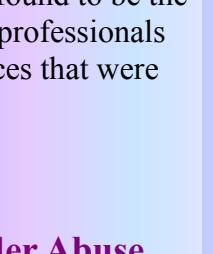
—> [Click for Full Article](#)

As Medicare Part B premiums rise, survival strategies for 2017

Some seven in 10 of the 53.5 million Medicare Part B beneficiaries can breathe a collective sigh of relief. Their monthly Part B premium will rise a relatively modest 3.9% in 2017. Most of the rest will see their Part B premiums jump 10%. The Social Security law contains a "hold-harmless" provision that limits the dollar increase for premiums for Part B to the dollar increase in an individual's Social Security benefit. In October, the government announced that the nation's 65 million Social Security beneficiaries would receive a 0.3% cost-of-living adjustment (COLA) to their monthly checks in 2017. Medicare Part B premiums are typically deducted from Social Security beneficiaries' monthly checks, so the net effect of the COLA and the Part B premium increase is that 70% of Part B beneficiaries won't see any increase at all in their Social Security checks. They'll receive an extra \$5 per month, but that money will go straight to Medicare to pay for their Part B premiums. Because of the "hold harmless" provision covering 70% of beneficiaries, premiums for the remaining 30% must cover most of the increase in Medicare costs for 2017 for all beneficiaries.

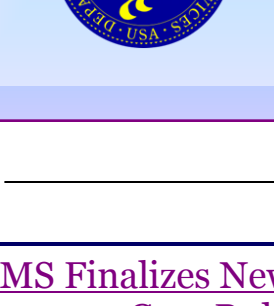
While giving a more detailed description of the changes coming in 2017, the article also includes several tips and suggestions on how to cope with the rising costs in 2017.

—> [Full Article](#)

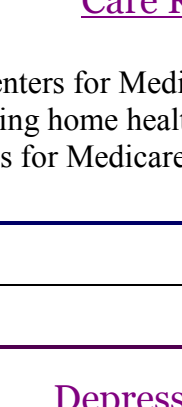


The NYC Elder Abuse Center January 2017 Field Guide

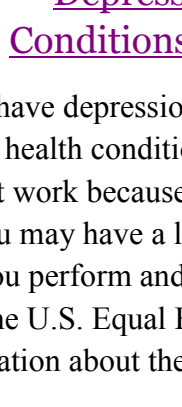
The NYC Elder Abuse Center compiled a list of what they found to be the most helpful articles and resources relevant to elder justice professionals for November and December 2016. Below are the Resources that were included in their list.



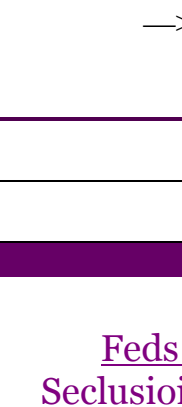
[Department of Justice Elder Abuse and Financial Exploitation Grant](#)



[Department of Justice Awards Grants](#)



[GAO Elder Abuse Report](#)



[Substance Abuse and Mental Health Services Administration Guide](#)

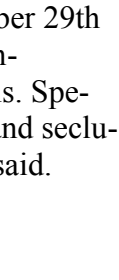
CMS Finalizes New Medicare and Medicaid Home Health Care Rules and Beneficiary Protections

The Centers for Medicare & Medicaid Services (CMS) today finalized rules governing home health agencies that will improve the quality of health care services for Medicare and Medicaid patients and strengthen patients' rights.

Depression, PTSD, & Other Mental Health Conditions in the Workplace: Your Legal Rights

If you have depression, post-traumatic stress disorder (PTSD), or another mental health condition, you are protected against discrimination and harassment at work because of your condition, you have workplace privacy rights, and you may have a legal right to get reasonable accommodations that can help you perform and keep your job. Continue reading the following Q&A from the U.S. Equal Employment Opportunity Commission for additional information about these rights.

—> [Click here for Full Article](#)



Feds Release New Guidance on \$504, Seclusion & Restraints, and Charter Schools

On December 28th, the U.S. Department of Education released three new sets of guidance to assist the public in understanding how the Department interprets and enforces federal civil rights laws protecting the rights of students with disabilities. These guidance documents clarify the rights of students with disabilities and the responsibilities of educational institutions in ensuring that all students have the opportunity to learn.

—> [Click for Full Article](#)

Calley helps end 'barbaric' school restraint practices

Michigan's Lt. Gov. Brian Calley signed legislation on December 29th that will end what he describes as "inhumane and barbaric" non-emergency restraint and seclusion practices in Michigan schools. Special needs children no longer should be subjected to restraints and seclusion if they are not a threat to themselves or others, Calley said.

—> [Click for Full Article](#)

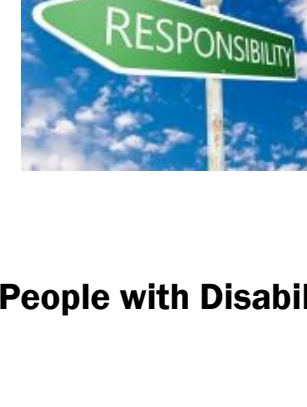
Keeping Nursing Home Residents Safe: The State Must Hold Nursing Homes Accountable for Resident Deaths.

The report outlines the failure of the California Department of Public Health (Licensing) to issue the maximum allowable penalty in the case of deaths of residents of long-term care facilities due to staff misconduct. They found that Licensing did not find that negligent care was a direct proximate cause of a resident's death and did not issue the corresponding level of penalty.

—> [Download the Report](#)

Additional Articles from the Academy of Special Needs Planners

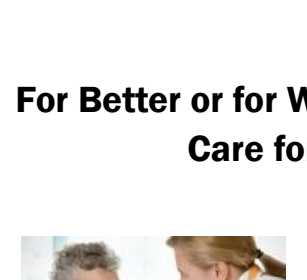
Five Tips for Getting the Most Out of Your Child's IEP Meeting



Parents who have a child with special needs in school will meet annually with the school district to develop an IEP (Individualized Education Program). Here are five tips for getting the most out of your child's IEP meeting

—> [Full Article](#)

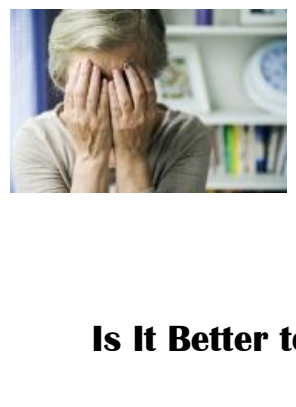
Repealing Obamacare Will Have Consequences for Medicare



One of President-elect's Donald Trump's campaign promises was to repeal the Affordable Care Act (ACA), aka Obamacare. While repealing Obamacare will have implications for millions of younger people covered by the insurance, it will also affect Medicare beneficiaries.

—> [Full Article](#)

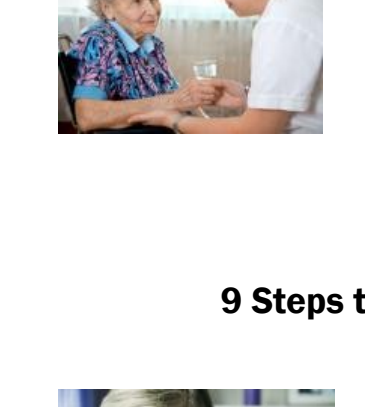
The Top Five Responsibilities of a Trustee of a Special Needs Trust



If you are considering taking on the responsibility of serving as the trustee of a special needs trust, you will probably have questions about the trustee's role. Trustees of special needs trusts have many important responsibilities, but these five likely rank at the top of any trustee's list.

—> [Full Article](#)

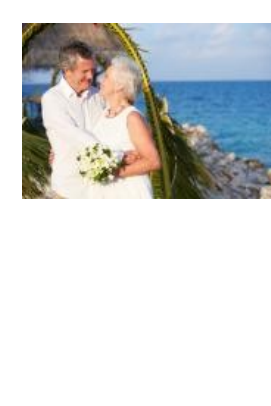
People with Disabilities Can Now Create Their Own Special Needs Trusts



The [Special Needs Trust Fairness Act](#), federal legislation that allows people with disabilities to create their own special needs trusts instead of having to rely on others, is now law. The measure was included in the [21st Century Cures Act](#), a \$6.3 billion package of health-related initiatives signed by President Obama on December 13, 2016.

—> [Full Article](#)

For Better or for Worse, States Are Turning to Managed Care for Medicaid Long-Term Care



More and more states are switching to a managed care model when dealing with Medicaid long-term care patients, a change that has resulted in a loss of services in some cases. The number of states with MLTSS programs increased from eight in 2004 to 20 in 2016.

—> [Full Article](#)

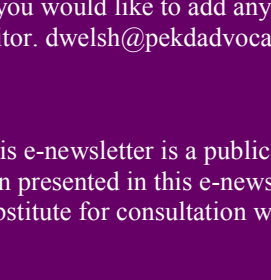
9 Steps to Less Stressful Caregiving



Taking care of a loved one with special needs can be exhausting and stressful. Often due to the lack of outside help, a devotion to the person needing care, or the tunnel vision that can accompany exhaustion, caretakers don't take care of themselves.

—> [Full Article](#)

Is It Better to Remarry or Just Live Together?

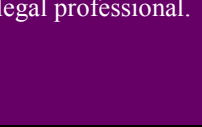


Finding love later in life may be unexpected and exciting, but should it lead to marriage? Before deciding whether to get married or just live together, you need to look at your estate plan, your Social Security benefits, and your potential long-term care needs, among other things. Whatever you decide to do, you may want to consult with your lawyer to make sure your wishes will be carried out.

—> [Full Article](#)

For more news and information about Patricia and Patricia E. Kefalas Dudek & Associates please visit us online.

www.pekdadvocacy.com



Patricia E. Kefalas Dudek & Associates

30445 Northwestern Highway, Suite 310 Farmington Hills, MI 48334
Tel: 248-254-3462 Fax: 248-928-9233
pdudek@pekdadvocacy.com

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