



Texas Disability Issues Forum

Monday, September 19, 2022

Austin, Texas + virtual

TDIF.REVUPTexas.org

2022 TDIF Survey: Governor

Beto O'Rourke response

1. The disability community lives by the motto “Nothing about us, without us.” We must have a seat at all decision-making tables that affects us, which is every table. What steps, if any, have you taken to make your campaign accessible for people with disabilities and to ensure that our perspectives are heard? What specific plans do you have to incorporate the voices of people with disabilities into your decision-making processes, if elected?

“Our campaign team reflects the diversity of Texas and includes people with disabilities. We have held disability roundtables and we frequently liaise with disability rights groups, who have played a central role in crafting our policy platform. We strive to make every one of our events as physically accessible as possible, including by making ASL interpretation available. Our social media team includes subtitles on videos and now has a system in place to ensure all photo content and social media toolkits include alt text. We are constantly improving our campaign processes as we receive feedback from valued allies and members of the disability community.

As governor, I will ensure that my administration and governor-appointed boards also reflect the diversity of this state—including by hiring and appointing people with disabilities to serve in key roles. That’s the only way Texas will finally live up to the motto of “Nothing about us, without us.””

2. What steps should the State of Texas take to increase access to public and private transportation (i.e. bus, train, taxi, ride share companies) for urban and rural Texans with disabilities?

“I will ensure that the tens of billions of dollars coming to Texas as part of the federal infrastructure bill flow to every part of Texas—to urban, suburban, and rural communities alike—to build out public transportation infrastructure that is easily accessible for all people with disabilities. I will also partner with other state and local agencies to investigate and hold accountable any private transportation provider that violates ADA standards.”

3. What action would you take to increase access to affordable, accessible, integrated housing for Texans with disabilities? Do you support increased funding for the Housing Trust Fund?

“As governor, I will support laws that prevent landlords from discriminating against housing voucher holders, incentivize affordable housing development by establishing a state tax-credit program, allow local governments to require inclusionary zoning in their communities, and expand support for the Housing Trust Fund. I will also partner with other state agencies to investigate and hold accountable any landlords who violate ADA standards.”

4. What steps would you take to ensure that Texans with disabilities have the same access to voting (registering and casting a ballot) as Texans without disabilities?

“I will support efforts to expand accessible voting options like curbside voting and 24-hour voting, reduce barriers to voting by mail, establish online and same-day registration, guarantee equitable access to polling locations, and get rid of voting restrictions that aim to intimidate and criminalize personal attendants. I am also committed to requiring mail-in ballots for visually impaired, blind, and physically disabled voters so that they can cast their ballots in secret.”

5. There are approximately 170,000 children, young adults, adults and seniors with disabilities waiting for services in their communities. What steps would you take to eliminate the current waiting lists for home and community based services?

“I will improve funding for Medicaid waiver programs in order to dramatically reduce the waitlists for community-based services so that more Texans can receive care in their communities instead of institutions. I will also appoint a Health and Human Services Commissioner who will make it their mission to guarantee full community integration of all people with disabilities.”

6. Do you support Medicaid funding that favors home and community services over institutional settings (services/ supports that assist individuals in living in their own homes and communities instead of nursing facilities and other institutions)?

“Absolutely—guaranteeing community integration for Texans with disabilities will be a top priority for me. The primary purpose of Home and Community-Based Services (HCBS) is to ensure that individuals with disabilities have control over their lives by choosing where to live and how to spend their days. As Governor, I will direct the Health and Human Services Commission to fully comply with the settings rule as

promulgated by the Centers for Medicare and Medicaid Services.”

7. In the *Olmstead v. L.C.* decision, the U.S. Supreme Court issued a ruling based on the Americans with Disabilities Act (ADA) that requires states to eliminate unnecessary segregation of persons with disabilities and to ensure that persons with disabilities receive services in the most integrated setting appropriate to their needs. What more can the State of Texas do to implement this requirement?

“Texas still has major work to do—especially within our public education system, as Texas continues to make headlines for discriminating against students with special needs. I will ensure Texas fully funds special education, guarantee inclusive learning environments in public schools, and ensure every child receives the individualized instruction they are entitled to under the Individuals with Disabilities Education Act.”

8. Do you support Medicaid expansion that has benefits to people with disabilities, community attendants, and their families? Please explain.

“Yes. Expanding Medicaid is at the very top of my priorities. Texas leads the nation in the number and rate of people who can't afford to see a doctor, which has a disproportionate impact on people with disabilities on fixed and low incomes, as well as the community attendants who care for them.”

9. The unemployment rate of people with disabilities is higher than the general unemployment rate. What would you do to increase integrated employment opportunities for people with disabilities?

“I will raise the minimum wage to \$15 an hour for all Texans and close the loopholes that allow employers to pay disabled Texans sub-minimum wages. I will also work with state agencies, the disability community, and employers to expand individualized job training opportunities provided through home- and community-based services.”

10. Would you support the legalization of or decriminalization cannabis in Texas?

“I support the legalization of cannabis as well as efforts to make medical cannabis more accessible and affordable for all who need it.”

11. There is a critical shortage of community attendants/direct care workforce to provide services to seniors and Texans with disabilities who are living in their homes. Many believe that the current base wage of \$8.11 and no benefits are major reasons for

the growing crisis in finding community attendants as well as the current high turnover rate. What would you do to raise wages and benefits to alleviate this crisis?

“Every Texan deserves access to high-quality, good-paying jobs. There are few professions more important than community attendants, who help their fellow Texans live independent, fulfilling lives in their communities instead of institutions. As governor, I am committed to recruiting and retaining more community attendants and treating them with the respect they deserve by raising the minimum wage to at least \$15 an hour and guaranteeing good health care and retirement benefits.”

12. How will you insure that the letter and spirit of education laws like the Individuals with Disabilities Education Act (IDEA) are followed in a manner that decreases the segregation of students with disabilities, increases inclusion provides an appropriate education to all students with disabilities?

“I will fully fund special education, do my best to correct the injustices of past administrations that put arbitrary caps on special education enrollment, guarantee inclusive—not segregated—learning environments in public schools, and ensure every child receives the individualized instruction they are entitled to under the Individuals with Disabilities Education Act.

As Texas struggles with a historic teacher shortage crisis, we are especially struggling to recruit and retain special education teachers and aides. As such I will ensure special education teachers are paid the true value of their work and pursue loan forgiveness programs that can help Texas recruit and retain top educators.”

13. What is your position on school choice? Have you considered the ramifications of choice on students with disabilities?

“I support all efforts to ensure every Texas child receives the best possible education, and my priority will be to strengthen public schools to guarantee that students with disabilities receive the integrated and individualized education they are entitled to. At a time when public schools are already starving for resources, I oppose the idea of voucher programs that would divert public tax dollars away from public classrooms to subsidize private education—especially because private schools disproportionately reject students with disabilities and fail to provide students with the same civil rights protections guaranteed at public schools.”

14. Do you support directing resources to ensure state law enforcement is trained to appropriately interact with individuals with disabilities (including people who are non-

verbal, who use communication devices, or who are Deaf) to prevent unnecessary incarcerations and injuries? If yes, how would you support/direct state law enforcement to use these resources?

"I will direct resources to ensure law enforcement and civilian crisis counselors are well-trained to appropriately interact with disabilities. I also support the expansion of diversion courts for individuals with intellectual and developmental disabilities in order to ensure they get the care they need instead of time in jail."

15. Do you support legislation to waive sovereign immunity in cases involving the state's violation of the Americans with Disabilities Act?

"It's shameful that Texas would hide behind "sovereign immunity" to skirt its responsibility to comply with the Americans with Disabilities Act and other fundamental protections. I would support legislation to waive the state's sovereign immunity in these cases."

16. What can be done to reduce the instances of gun violence in rural and urban Texas?

"I will pursue bipartisan, commonsense gun safety legislation that protects the Second Amendment while also protecting our loved ones from gun violence. Republicans, Democrats, and Independents alike support solutions like universal background checks, a red flag law, and safe storage laws. Texans also overwhelmingly want to repeal the dangerous permitless carry law that Governor Abbott signed last year, which allows nearly anyone to carry a gun in public with no background check or training. And especially after the recent shooting in Uvalde, the majority of Texans are calling for a law to raise the minimum age to purchase an assault weapon from 18 to 21. These are all bipartisan, popular solutions that I would support as governor."

17. What additional policies and priorities, other than those already discussed above, do you plan to focus on to improve the lives of people with disabilities? If you have yet to develop them, what is your plan to learn about disability issues?

"As governor, I will work in partnership with the disability community to ensure every Texan can fully thrive in their schools, in their employment, in their homes, and in all aspects of community life:

- Health Care: We will expand Medicaid, improve funding for Medicaid waiver programs to reduce the unacceptably long waitlists for home and community

based services, and address Texas' dire shortage of community attendants by improving their pay and benefits.

- **Education:** We will fully fund special education, guarantee inclusive learning environments in public schools, and ensure every child receives the individualized instruction they are entitled to under the Individuals with Disabilities Education Act.
- **Employment:** To guarantee access to fair, integrated employment for every Texan, we will close the loopholes that allow employers to pay disabled Texans sub-minimum wages and expand individualized job training opportunities provided through home and community-based services.
- **Housing & Transportation:** We will expand accessible, affordable, and integrated housing and transportation options—including in rural communities—and gather input from the disability community to identify and remedy shortcomings in the implementation of laws like the Americans with Disabilities Act.
- **Criminal Justice:** We will expand funding for community-based mental health systems to ensure that Texans with psychiatric, intellectual, and developmental disabilities receive the care they need in the community—not through the criminal justice system.
- **Voting Rights:** We will guarantee accessible voting methods so that every eligible Texan can participate in our democracy, including by reducing barriers to mail-in voting, repealing voting restrictions designed to intimidate personal attendants, restoring access to drive-through voting, and more.”