

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

)	
)	
)	
In the matter of the emergency rulemaking)	
proceeding, to hasten the effective date of the)	DOCKET NO: UT - 030860
implementation of WAC 480-120-174, restoring)	
service based on Washington Telephone)	
assistance program (WTAP) or federal enhanced)	
tribal lifeline program eligibility)	
)	

Comments of Washington Protection and Advocacy System

Respectfully submitted this 9th day of June, 2003

I. Introduction

Washington Protection and Advocacy System (WPAS) is a nonprofit disability advocacy organization that promotes the civil and human rights and self-determination of persons with disabilities via litigation, systems and policy advocacy, community education and an information and resource referral network. WPAS thanks the Commission for the opportunity to comment in the proposed emergency rulemaking proceeding regarding WAC 480-120-174, on behalf of persons with disabilities who reside in Washington.

1 **II. Comments**

2 The capacity for imminent harm is significant for persons with disabilities who
3 experience sudden interruption or disconnection of phone service, and WPAS is
4 appreciative the Commission is taking this into consideration via the proposed
5 rulemaking.

6 Individuals with disabilities throughout the State of Washington largely depend
7 on Medicaid for healthcare and are consequently eligible for the Washington telephone
8 assistance program. For these individuals, the telephone is often the sole means of
9 access to the community, to medical care, to transportation, to critical support systems
10 and to emergency services. The sudden discontinuation or interruption of services
11 would jeopardize the ability to function and live independently for many of these
12 individuals, who depend on the telephone for services like ongoing medical
13 consultation, or transportation to work and medical appointments. Additionally, lack of
14 this level of support or assistance could result in crisis with no access to 911.

15 Disconnection in times of economic duress presents a capacity for even greater
16 damage for those who depend on the telephone. The current budget deficit, and
17 proposed cuts to social and health programs and services, pose serious consequences
18 that directly increase the need for telephone use for persons with disabilities. Rising
19 health care costs and lower Medicaid reimbursement rates have generated a shortage of
20 providers who accept Medicaid, forcing customers to spend more time on the phone
21 searching for dentists, doctors, and pharmacists, and arranging transportation to travel
22 greater distances to obtain these services. There is already an inordinate amount of time
23 spent on the phone either on hold, or trying to coordinate health care and benefits
24 coverage with different agencies. Individuals with disabilities experiencing cutbacks
25 and facing the economic constraints posed by the current recession spend an even
26 greater number of hours on the phone trying to understand the consequences of these
27 changes. Abrupt cessation or prolonged discontinuation of telephone services could

1 exponentially compound the complexities and frustrations of navigating an
2 overwhelming service system by making vital access to the outside world impossible
3 for many with disabilities. Additionally, interruption in service could seriously deter
4 one's ability to restore telephone service, as most individuals use a telephone to
5 establish or make changes to an existing phone service. Those with disabilities, who
6 often have greater obstacles leaving the home and traveling throughout the community,
7 generally try to ensure phone access is set up well in advance of a move or a change in
8 service, because telephone access is so instrumental to one's independence and well-
9 being. In this instance, an interruption would not only prohibit one's ability to figure
10 out what prompted the disconnection, but it would also complicate finding another
11 carrier and taking the steps needed to establish service with a subsequent telephone
12 provider.

13 WPAS has over the years received a high volume of complaints against
14 providers and caretakers who have financially exploited persons with disabilities. This
15 problem frequently presents by way of a personal care attendant who racks up large
16 phone bills by making unauthorized calls, jeopardizing both continued phone service
17 and the capacity to pay off debt. For those individuals with disabilities who have
18 experienced service disruption or credit problems because of financial exploitation, the
19 immediate implementation of this rule would be of great benefit: Those with past debt
20 who may be imminently disconnected could resume connection with a local exchange
21 company and pay off the debt at an affordable rate.

22 Also of consequence though indirectly related to this hearing, is the DSHS
23 proposal to raise the customer co-pay for WTAP by more than 100% to \$8.50. WPAS
24 recognizes the need to increase revenue for program sustainability; however, more
25 information around the cost benefit of this increase would be very useful. There is some
26 question as to whether or not an increase of this proportion would potentially reduce the
27

1 federal funding for this program. There is also the question as to whether or not
2 thorough examination has been given to the increase of the state excise tax to 14 cents.
3 The more immediate consequence for persons with disabilities, is that this increase, as
4 the interruption or disconnection of one's service, would directly restrict one's ability to
5 maintain phone services and live independently. Individuals with disabilities have in
6 great numbers experienced a reduction in financial assistance and services as a direct
7 result of our recession and slight financial changes can have dire consequences. For
8 example, many who depend on Social Security income are no longer receiving their
9 state supplemental payment and are forced to make difficult decisions and sacrifices in
10 order to live within their means. Even subtle changes to program costs and co-pays add
11 up in these times and make necessities and vital services more difficult to sustain.

12 The risk of discontinuation of phone service to WTAP-eligible customers
13 warrants intervention by the Commission to preserve the public health, safety and
14 general welfare of persons with disabilities. WPAS thanks the Commission for its
15 consideration in this rulemaking process.

16 Washington Protection & Advocacy System

17
18 Andrea Abrahamson
19 Systems Advocate
20 180 W Dayton Suite 102, Edmonds WA 98020
21 425-776-1199 x 216
22 425-776-1648 tty
23 andreaa@wpas-rights.org
24
25
26
27