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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2011-12

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on Health...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Assembly

Record of Committee Proceedings

Committee on Health

Assembly Bill 471

Relating to: changing terminology for those with an intellectual disability.

By Representatives Severson, Bernier, Berceau, Bies, E. Coggs, Endsley, Hintz, Jacque, Kaufert, Kerkman, Knodl, Kooyenga, Litjens, Mason, Nygren, Pasch, Petryk, Radcliffe, Rivard, Sinicki, Spanbauer, Strachota, C. Taylor, Thiesfeldt, Tranel, Zepnick and Loudonbeck; cosponsored by Senators Galloway, Harsdorf, Erpenbach, Hansen, Holperin, King, C. Larson, Moulton, Risser, Taylor, Vinehout, Lassa and Olsen.

January 09, 2012 Referred to Committee on Health.

January 25, 2012 **PUBLIC HEARING HELD**

Present: (10) Representatives Stone, Severson, Kaufert, Van Roy, Strachota, Petersen, Litjens, Pasch, Seidel, C. Taylor.
Absent: (0) None.
Excused: (1) Representative Richards.

Appearances For

- Rep. Erik Severson, Star Prairie — Author; 28th Assembly District
- Susan and John Olson, Milwaukee — People First
- Jeanne Hrovat, Madison — Special Olympics
- Barbara Katz, Madison — Self
- Rick Petzke, Oregon — Self
- Beth Swedeen, Madison — WI Board for People w/Dev Disabilities; Survival Coalition
- Cynthia Bentley, Milwaukee — Self
- Barry Kress, West Allis — Self
- Jeffrey Johnson, Madison — Self
- Dan Remick, Madison — Self
- Jerome Holzbauer, Milwaukee — Self
- Alan Ginsberg, Madison — Self

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Sen. Pam Galloway, Wausau — 29th Senate District
- Rep. Josh Zepnick, Milwaukee — 9th Assembly District
- Nathan Berken, Thiensville — WI Academy of Family Physicians
- Sabrina Gentile, Madison — WI Council on Children & Families
- Dennis Alldridge, Stoughton — Special Olympics
- Christina Hunt, Madison — Special Olympics WI
- Emily Jayne, Madison — Self
- Craig Gagnon, Madison — Self
- Lisa Pugh, Unknown — Disability Rights WI

Registrations Against

- None.

Registrations for Information Only

- None.

February 8, 2012

EXECUTIVE SESSION HELD

Present: (10) Representatives Stone, Kaufert, Van Roy, Strachota, Petersen, Litjens, Richards, Pasch, Seidel, C. Taylor.

Absent: (0) None.

Excused: (1) Representative Severson.


Moved by Representative Richards, seconded by Representative Pasch that **Assembly Bill 471** be recommended for passage.

Ayes: (10) Representatives Stone, Kaufert, Van Roy, Strachota, Petersen, Litjens, Richards, Pasch, Seidel, C. Taylor.

Noes: (0) None.

Absent: (1) Representative Severson.

PASSAGE RECOMMENDED, Ayes 10, Noes 0



Marsha Dake
Committee Clerk

Vote Record Committee on Health

Date: 2-8-12

Moved by: Richards

Seconded by: Pasch

AB 471 SB _____ Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

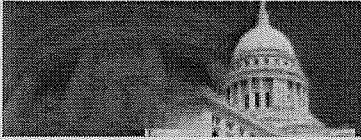
A/S Amdt _____
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- Be recommended for:
- Passage Adoption Confirmation Concurrence Indefinite Postponement
 - Introduction Rejection Tabling Nonconcurrency

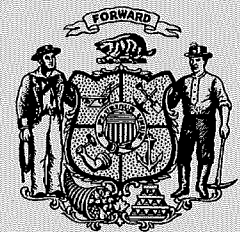
Committee Member	Aye	No	Absent	Not Voting
Representative Jeff Stone, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Erik Severson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Representative Dean Kaufert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Karl Van Roy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Patricia Strachota	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Kevin Petersen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Michelle Litjens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Jon Richards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Sandy Pasch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Donna Seidel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Chris Taylor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 10 0 1 _____

Motion Carried Motion Failed



WISCONSIN STATE LEGISLATURE



Points on AB 471 for 1-25-12

- Credentials and disability
- People First language is still not used within the proposed bill, for example, SECTION 45. 150.963 (title) of the statutes is amended to read: 23150.963 (title)
Construction of ~~mental retardation~~ facilities for the intellectually disabled and community mental health centers.
- Commendation but this is just the first step:
 - “Retard” is likely the most common epithet and slur used in regard to people with various disabilities (theory of disability-spread, e.g. a SLD, “Is this the retard room?” and my experiences with CP).
 - Demonstrate the sign for retarded.
 - In my opinion, this term along with others (such as, spaz, mental, and crip) is just as degrading as “boy” is for adults of color and “bitch” is for women.
- Impact of disability harassment:
 - We, i.e., persons with intellectual and other kinds of disabilities, intuitively know that these terms are often intended to be hurtful and to isolate us.
 - They reinforce our own internalization greatly affecting our psycho-social well-being.
 - They called me “Mr. Shaky.” My story.
 - The old adage: “Sticks and stones can break my bones but names can never hurt me” is bunk.

References for Further Consideration

- Holzbauer, J. J. (2002). *Disability harassment in the workplace*. Published Dissertation, University of Wisconsin-Madison. Ann Arbor, MI: Pro Quest.
- Holzbauer, J. J. (2004), Disability harassment of students in transition from school to work: Implications for rehabilitation counseling. *Journal of Applied Rehabilitation Counseling, 35*, 3-7.
- Holzbauer, J. J. (2008). Disability harassment observed by teachers in special education. *Journal of Disability Policy Studies 19*, 162-171.
- Holzbauer, J. J., & Berven, N. L. (1996). Disability harassment: A new term for a long-standing problem. *Journal of Counseling and Development, 74*, 478-483.
- Holzbauer, J. J. & Conrad, C. F. (2010). A typology of disability harassment in secondary schools. *Career Development for Exceptional Individuals, 33*, 143-154.
- Weber, M. C. (2007). *Disability harassment*. New York: New York University Press.

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Testimony in Support of the People First Bill, AB 471
January 25, 2012

Good morning. I am pleased to come before you today to support the People First Bill, AB 471.

My name is Barbara Katz, and I am the parent of three young men. My 20 year old son, Ben, has intellectual disabilities. I work with families and individuals throughout the state as Co-Director of Family Voices of Wisconsin and as Chair of the Governor's Board for People with Developmental Disabilities.

Several years ago over 800 people came together in Washington DC from throughout the country and unanimously voted on eliminating the words mental retardation from federal laws, statutes and guidelines. This was approved by the federal government in 2010 and many states have followed suit. It's time that Wisconsin does as well.

AB 471, the People First Bill will eliminate the terms mental retardation and mentally retarded from state statutes. I encourage you to support this bill.

There have been numerous times when family and friends and my kids' friends have said "oh, that's so retarded." And I have said to them, "you mean like Ben?" And they say, "oh no, of course not." They were simply using a widely accepted term, without really thinking of its slang usage. Today, the term retarded, or mentally retarded, is derogatory. It is archaic. It is disrespectful. It is time that Wisconsin officially recognizes this and changes its laws, statutes and guidelines to remove mental retardation from its official lexicon and replaces that phrase with intellectual disability.

As a society, we have come a long way from describing people with intellectual disabilities as idiots, feeble minded, and retarded, forced into institutions and excluded from society. Today, people with intellectual disabilities are our friends, neighbors, co-workers and classmates. In fact, state and federal legislation guarantee that people with intellectual disabilities in Wisconsin have:

- Educational opportunities that lead to successful employment
- Equal opportunity without discrimination, a civil right
- Supports for independent living and participation in the community

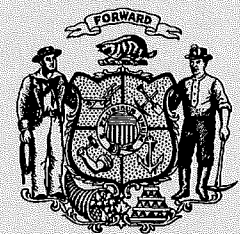
The People First Bill will make a nominal change to health and other policies by substituting the term intellectual disability for mental retardation and mentally retarded in the statutes, similar to a change that occurred in 2010 with all federal legislation. The term intellectual disability covers the same population who were previously described as mentally retarded. This bill will not alter eligibility of services, will not affect compliance of federal funding requirements, and will not lead to reductions of rights for individuals with intellectual disabilities. This bill will be respectful and treat individuals with intellectual disabilities with the dignity that all human beings deserve.

It is time that our official state language catches up with the reality of lives of thousands of people with intellectual disabilities in Wisconsin. Please support the People First Bill, AB 471. Thank you.

Barbara Katz, 4118 Cherokee Drive, Madison, WI 53711 biflash@charter.net **608.233.3726**



WISCONSIN STATE LEGISLATURE





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FOR MORE INFORMATION: Contact Survival Co-Chairs

Beth Swedeen, beth.swedeen@wisconsin.gov, Maureen Ryan, moryan@charter.net
Maureen Jan. 25, 2012

TO: Assembly Committee on Health
RE: Support for AB 471

My name is Beth Swedeen and I'm the director of the Board for People with Developmental Disabilities and a co-chair of Survival Coalition. I want to thank the committee for letting me speak today, and for considering this important bill.

As many of you know, the word "retarded" and "retard" has become a common slur in our society, used as a put-down or insult and often used to mean "stupid" or "clueless."

For people with developmental disabilities and their families – including myself and my two daughters – this is an important bill that would end the use of wording in all state language that has become hurtful. First, I want to point out that many of the organizations that once used the terms "mental retardation" and "retarded" have already changed their names. The American Association on Mental Retardation is now the American Association on Intellectual and Developmental Disability. The Waisman Center is no longer a center on mental retardation. It's a center on intellectual and developmental disability. Nationally, Rosa's Law has ended the use of this hurtful term in federal statute and documents.

Historically, people with intellectual disabilities in this country have been referred to through the decades as "idiots" "imbeciles," "morons" and "feeble-minded." At some point in the 20th century, each of these terms was considered medically accurate. We would never refer to people with intellectual disabilities in those terms today. Likewise, in the year 2012, the term "mentally retarded" is outdated and used increasingly as an insult rather than a medical condition.

We are in a new age now: one where self-advocates such as the folks who are here today are our friends, neighbors, co-workers, and classmates. No longer sent away to institutions and separate facilities, people with intellectual disabilities in Wisconsin are increasingly the most effective advocates for equal opportunities without discrimination, supports for living independently, and access to jobs and schools.

Ending the use of this term will in no way impact supports or services for people with intellectual disabilities. Diagnosis and eligibility rules in no way depend on use of the term "mental retardation" in order to meet eligibility requirements.

Let me end by saying our younger generation gets it. Three years ago, my two daughters were part of a
OVER

Personal Care Survey – Report of Findings

completely student-run campaign in their high school to ask other students to pledge ending their use of the “R” word. During a single one-hour lunch period, they gathered 698 pledges from their classmates. Kids know: words hurt, and this is a hurtful term that needs to end. I urge you to vote with them to eliminate this terminology in health and other policy documents throughout Wisconsin.