

RT '23

Rollin' Times from the Michigan Paralyzed Veterans of America



Congratulations to Pierce Middle School for winning the MPVA Sponsored “Best Future City for People with Disabilities” at the 2023 Future City Competition.



About this Issue:

The MPVA is springing into warmer weather! Check out all the details on what's happening at the Michigan Chapter by reading through this edition.

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Disclaimer:

The Rollin' Times is a publication of the Michigan Chapter of Paralyzed Veterans of America. It is designed to inform the members of the PVA and other interested parties on veterans' issues, legislation, legal decisions, medical technology and other matters deemed to be relevant to the disability community.

The contents of this publication do not always reflect the views or policies of Michigan PVA, and no endorsement or approval is made or should be inferred with respect to products or services advertised herein. Consult an appropriate professional before making use of any product or service mentioned.

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The Michigan Paralyzed Veterans of America (MPVA) is a chapter of the Washington, D.C.-based Paralyzed Veterans of America. A Congressionally chartered veterans service organization, MPVA has been assisting veterans with spinal cord injuries or diseases, including Multiple Sclerosis and ALS (Amyotrophic Lateral Sclerosis, better known as Lou Gehrig's Disease), in Michigan since 1961.

MPVA programs include:

- Veterans' Benefits
- Wheelchair Sports and Recreation
- Spinal Cord Injury Research
- Equipment Donation
- Advocacy to eliminate architectural barriers and protect civil rights for persons with disabilities
- Referral Services for assistive devices, housing, employment and transportation
- Literature on a variety of topics including self-care, independent living, and disability rights.
- MPVA is a nonprofit organization and receives no federal funding. MPVA relies on grants, sponsorships, and private and corporate donations to support its programs.

The MPVA headquarters is in Plymouth, Michigan. Our service officers are based out of the McNamara Federal Building in Downtown Detroit.

The Ad Agency

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President's Report

By: Michael Harris, President, MPVA

MPVA Mourns the Loss of Disability Rights Leader Judy Heumann

Known worldwide as “The Mother of the Disability Rights Movement”, Judith Heumann died on March 4, 2023 in Washington DC at the age of 75. The Michigan Paralyzed Veterans of America (MPVA) has learned from and been inspired by her tenacity and relentless pursuit of rights for all. Judy spent decades disrupting a political establishment indifferent to the rights of disabled people and won one fight after another.

Over the span of five decades, Judy was instrumental in the development and implementation of the Rehabilitation Act of 1973, the Individuals with Disabilities Education Act, the Americans with Disabilities Act (ADA) of 1990, and the United Nations Convention on the Rights of Persons with Disabilities. She also contributed to the founding of the Berkeley Center for Independent Living, and the World Institute on Disability.

In 1949, Judy contracted polio and began to use a wheelchair for her mobility. At the age of five, she was denied the right to attend school because she was considered a “fire hazard.” She was instead given home instruction twice a week. For years her parents challenged the decision, until she was eventually allowed to go to a “special” segregated school for children with disabilities. Following mounting parental pressure, the school system reversed its policy and Judy joined the local mainstream high school in 1961.

Later in life, she was denied her teaching license after passing her oral and written exams, on concerns that she would not be able to assist children in an emergency. Judy sued the New York Board of Education and went

on to become the first wheelchair user to become a teacher in the state of New York.

Her activism led to various events that helped secure legislation protecting the rights of people with disabilities. She helped lead a protest that shut down traffic in Manhattan against Richard Nixon’s veto of the 1972 Rehabilitation Act. In 1977, Judy spearheaded a 26-day sit-in at a San Francisco federal building to protest the refusal of the U.S. Secretary of Health, Education and Welfare to sign long-delayed regulations for Section 504, which specified that no government agency or private business that accepted federal funds could discriminate and exclude people with disabilities. The Oscar-nominated Netflix documentary, *Crip Camp*, features video and interviews from these historic events. They are also detailed by Judy herself in the autobiographies *Being Heumann* and *Rolling Warrior*.

Section 504 became a model for the ADA, extending the principles of non-discrimination to all public accommodations, employment, transportation, and communications and access to state and local government programs.

From 1993 to 2001, Judy served in the Clinton administration as an Assistant Secretary in the Office of Special Education and Rehabilitation Services in the Department of Education. In 2010, she was appointed Special Adviser on International Disability Rights by then-President Barack Obama and would serve in this role over the next seven years as she worked to include disability in the department’s agenda and to pass an international treaty like the ADA.

I had the honor of meeting Judy on numerous occasions while attending the annual PVA Legislative Conference in Washington, D.C. Meeting her has been one of the highlights of my time with MPVA.

Judy was able to turn her life experience into triumph by advocating passionately on behalf of people with disabilities. Throughout her life she tried to help people understand that disability is a normal part of society, not something to be treated as “less than”; that life is about possibilities, not limits.

Her tireless advocacy work paved the way for a more inclusive and accessible society. Her spirit and legacy will live on forever in the multitudes of lives that were touched by her compassion and commitment.

As we remember Judy, let us honor her memory by striving to create a more equitable, accessible, and just world, remembering her invaluable contributions, and continuing to fight for the rights and justice of people

with disabilities. She will be deeply missed, but as the disability community continues her fight, her impact will live on for generations to come.

My life and the lives of MPVA members are better off because of her efforts! All I can say is thank-you for a job well done!!!

MPVA sends our deepest condolences to Judy’s husband, Jorge Pineda, and their entire family.





Executive Director's Report

By Jaclyn Kochis, Executive Director, MPVA

Pierce Middle School of Grosse Pointe Park Wins “Best City for Disabilities Award” in Future City Competition



Students present at the 2023 Future City Competition.

Once again, the Michigan Paralyzed Veterans of America (MPVA) partnered with the Engineering Society of Detroit, to recognize the school that best addresses the challenges of people with disabilities at this year's Future City Competition held on January 23, 2023 at the Suburban Collection Showplace in Novi.

In conjunction with the Future City Competition, MPVA created the “Best City for Disabilities Award” to recognize the school that is not only able to address the everyday access and inclusion challenges facing the disability community, but more importantly, provide a blueprint for accessible solutions to these barriers. This special award prompts the students to include the

disabled community in their thought processes when creating their future cities.

The mission of the Future City Competition is to provide a fun and exciting educational engineering program for seventh and eighth grade students that combines a stimulating engineering challenge with hands-on application.

It is a team-based program consisting of students, teacher, and an engineer mentor. Each team creates detailed, often fantastic, cities of tomorrow that give intriguing insights to how young minds envision their future.

At the same time, their bold designs and innovative concepts provide a refreshingly optimistic appreciation of how our nation can realistically deal with the many challenges facing its cities, including: environmental disasters, crime, urban decay, and urban sprawl. The students then must present and defend their city to a panel of judges at the competition.

This year's theme was *"Clean Water: Tap Into Tomorrow."* Most of us take for granted that when we turn on the faucet that clean water will flow. But for civil engineers, urban planners, developers, and other professionals, maintaining a reliable water supply

America has presented this special award to the school that created a future city that best addressed the challenges faced by people with disabilities. We want to congratulate the **Pierce Middle School of Grosse Pointe Park** for winning the 2023 "Best City for Disabilities Award". This team exemplified inclusion by involving back from different disability populations in their design, ensuring their future city's schools, services, and employment sectors would emphasize inclusivity and accessibility

St. John Lutheran School, Rochester, once again won this year's Michigan Regional Future City Competition,



Pierce Middle School's future city was extremely impressive!

takes expertise, planning, and constant vigilance. A water-resilient city must be prepared to address a wide range of risks, including drought, flooding, population change and natural and manmade disasters.

Participating teams were required to choose a threat to their city's water supply and design a resilient system to maintain a reliable supply of clean water.

Since 2007, the Michigan Paralyzed Veterans of

earning them the right to represent Michigan in the national contest in Washington, D.C. in February.

Once again, I want to congratulate these talented teams and all the students who participated in this year's event for a job well done!





By: Mike Harris, President, MPVA

Michigan Supreme Court Hears Arguments in Key Auto Insurance Lawsuit

A case that went before the Michigan Supreme Court will have far-reaching implications for the State's 2019 auto no-fault insurance overhaul and whether people seriously injured in an automobile accident before the reforms took effect are bound by the more restrictive medical benefits now in place.

On March 2, 2023, the Court heard oral arguments regarding a state Court of Appeals decision, *Andary et al. v USAA Casualty Insurance Company*, which determined legislative changes to health care reimbursements for accident victims can't be applied retroactively to past injuries.

"The retroactive application of the changes in Michigan's auto no-fault law have seriously and deleteriously impacted the plaintiffs and have massively disrupted the lives of thousands of Michigan survivors and their families," said **Joanne Swanson**, amicus counsel for Coalition to Protect Auto No-fault (CPAN), which submitted an amicus brief in support of the plaintiffs. "Thousands of motor vehicle accident victims have suffered greatly from their crash leaving them catastrophically disabled, and now are profoundly suffering from a lack of access to care."

Last August, the Michigan Court of Appeals ruled 2-1 in favor of the plaintiffs, determining that the benefit reductions passed as part of 2019 auto insurance reforms could not be applied retroactively to persons who were injured before this law went into effect. The lawsuit was filed in 2019 by guardians of two catastrophically injured auto accident victims, along with the nationally renowned brain injury rehabilitation clinic Eisenhower Center. The victims, on whose behalf the lawsuit was

filed, are Ellen Andary, of East Lansing, and Philip Krueger, of Ann Arbor.

The Michigan Osteopathic Association's brief featured a sworn affidavit by four physicians, who specialize in treating catastrophically injured individuals. In one affidavit, Dr. Owen Perlman addressed the devastating impact the law has had on several of his patients, including some that have died.

"I had a 47-year-old patient who sustained quadriplegia from the neck down in a 1994 accident," Perlman wrote in the affidavit. "She had much medical morbidity. When she had consistent trained nurses, she would intermittently need to go to the hospital for treatment of significant medical problems but was always able to recover at home. More recently, during the summer and fall of 2022, she had further problems. After a surgical procedure, she ended up on a ventilator. When told she was going to require a tracheostomy, she was concerned that with less staff, she would not be able to be safely managed at home. As a result, she declined the tracheostomy. She passed away on Oct. 3, 2022."

The majority of Michigan Paralyzed Veterans of America (MPVA) members that have a non-service-related spinal cord injury acquired their disability as a direct result of an auto accident. The Personal Injury Protection (PIP) coverage provided by the Michigan No-Fault law has been a tremendous help to our members. This coverage has benefited us in dealing with the many physical, psychological, and financial aspects of this life altering condition.

This issue is so important to MPVA because it is

important to our members who are the lifeblood of this organization!

I have written about this subject before, and advocated on behalf of the MPVA members who paid their premiums on time before an auto accident disrupted their lives. At the time of our accident, our no-fault coverage guaranteed that all necessary medical care in case of a catastrophic auto accident would be provided for as long as it was needed.

Now the government has retroactively altered those rights in violation of the pre-existing contractual obligations between the injured individual and their insurance company. At MPVA, we believe that the retroactive application of these two main provisions to individuals injured in an automobile accident prior to the date the new law went into effect is unlawful.

MPVA will continue to advocate as we eagerly await the ruling by the Supreme Court, but also look—with hopeful optimism—to our Legislature for a bipartisan solution that provides the narrow fix to ensure access to care for past, current, and future crash survivors.

What Michigan lawmakers need to understand is how they have negatively impacted an already fragile home health care industry by reducing car accident victim healthcare coverage by 45%. Other vulnerable populations will have even more difficulty in getting in-home care, adding to a devastating caregiver crisis in this state.

The Michigan Legislature has the power to right this wrong while still maintaining the objectives set forth with the auto insurance reform of 2019. For survivors of catastrophic auto accidents, the shout of We Can't Wait have become cries as the lack of services continue to devastate communities.

At MPVA, we are asking legislators to fix the law and ensure people who need specialized care receive it. After all, the consequences of inaction are unacceptable.





Photo: Stephanie Strickland, Senior National Service Officer

Survivors: You may be eligible for NEW benefits thanks to historic legislation

If you're the **survivor** of a Veteran who died from a toxic exposure-related condition, you may qualify for new benefits – including new monthly payments through the **VA Dependency and Indemnity Compensation Program**.

Thanks to historic new legislation called the **PACT Act**, VA has dramatically expanded the list of health conditions that VA assumes are service-related. This means that the survivors of Veterans who died from these conditions can now qualify for benefits. These newly-covered conditions include all reproductive cancers, all respiratory cancers, all head cancers, and many other illnesses.

Here's what this new law could mean for survivors like you:

- If your loved one passed away from a **PACT Act-related condition**, we encourage you to apply for DIC benefits now.
- If VA previously denied your claim for DIC benefits for a **PACT Act-related condition**, you can now apply to collect benefits as far back as the date of your original application. VA will try to contact you and may be able to reevaluate your claim, but you don't need to wait for VA to contact you before you can re-apply.
- If VA owed your loved one money or benefits that they never received, you may also be eligible for a one-time accrued benefits payment.

VA encourages all survivors who believe they may be eligible for VA DIC to apply now, or visit [VA.gov/PACT](https://www.va.gov/PACT) to learn more about what this new legislation could mean for you. You can also review eligibility to determine whether you **qualify** as a surviving spouse or dependent of a Veteran.

When you're ready to file a claim for VA DIC, you can do so online, by mail, or with help from your accredited representative, such as a Veterans Service Officer (VSO).


The application you'll need depends on your survivor status. If you're the surviving spouse or child of a Veteran, you'll use **VA Form 21P-534EZ**. The evidence table and checklist found in the instructions of the 534EZ can help you submit a more complete application package and may allow for a quicker decision. If you're a surviving parent, you'll fill out **VA Form 21P-535**.

Learn more about VA DIC and accrued benefits by visiting www.va.gov/disability/dependency-indemnity-compensation/.



Picture Perfect


RT '11
Rollin' Times from the Michigan Paralyzed Veterans of America



Staff Sgt. Kenneth Hubbard and his young daughter join him for the last few steps of a 23 mile march he did with Sgt. First Class Jason Holey and Sgt. First Class Russell Tamey in order to raise funds for the MPVA.

July/August 2011


RT '16
Rollin' Times from the Michigan Paralyzed Veterans of America



Take a look inside this issue and learn about the MPVA's Annual Picnic at the Miracle League of Plymouth (photo above), what 20 years of dedicated service to the MPVA looks like, the opening of a new Veteran Service Office in west Michigan, and much more!

Summer Edition 2016

RT '14
Rollin' Times from the Michigan Paralyzed Veterans of America




MPVA Vice President, David Peck, takes a moment to test drive an Action Track wheelchair at MPVA's Annual Awareness Day this past spring.

Summer Edition 2014

The Ad Agency

RT '12
Rollin' Times from the Michigan Paralyzed Veterans of America



MPVA Board Director, Teresa Karnphorst, gets a golf lesson from Scott Millman of The Simple World of Golf at MPVA's Open House on April 12, 2012.

May/June 2012


RT '14
Rollin' Times from the Michigan Paralyzed Veterans of America



Once again, the Michigan Paralyzed Veterans of America presented a special award to the school that created a Future City that best addressed the challenges faced by people with disabilities at the 2014 Future Cities Competition. We want to congratulate Athanasius Kircher Academy of Belleville for winning the 2014 "Best City Disability Award."

Spring Edition 2014

RT '12
Rollin' Times from the Michigan Paralyzed Veterans of America




Scott Severin, MPVA Sports Director, wins bronze medal in 2012 Paralympic Games

November/December 2012

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RT '17
Rollin' Times from the Michigan Paralyzed Veterans of America



MPVA Board Member, Michael Harris, participates in a ground breaking ceremony this past August for a Veteran Tribute being built in Oakland Township

2017 Fall Edition


RT '18
Rollin' Times from the Michigan Paralyzed Veterans of America



Executive Director, Jaclyn Kochis, signs documents during the closing of our Chapter building sale as President, David Peck, watches over.

2018 Spring Edition

RT '18
Rollin' Times from the Michigan Paralyzed Veterans of America



Being in a wheelchair does not mean your world must be limited. The possibilities are endless and MPVA members always prove that! Check out President David Peck, pictured above, taking advantage of the summer by cruising around Michigan's Dunes with his son-in-law!

2018 Summer Edition



Michigan Paralyzed Veterans of America (MPVA) and the Rehabilitation Institute of Michigan (RIM) Foundation are organizations that work to promote a better quality of life for individuals with spinal cord injuries and disabilities. An exceptional program that empowered that initiative was The Athletes with Disabilities Hall of Fame.

6 JUNE 2023

9:30am

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Paralyzed Veterans of America

Michigan Chapter

Salute to Veterans

GOLF 2023 TOURNAMENT

September 15
FRIDAY | 2023

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- Website recognition at: www.michiganpva.org

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- 1 Foursome
- 1 Mulligan
- Website recognition at: www.michiganpva.org

Other Opportunities:

Individual Golfer: \$155

Dinner Ticket: \$55

How to Register:

Registration can be found at:

www.michiganpva.org/support/online/salute-veterans-golf-tournament

You may also pay via check. Checks can be made out to:

Michigan Paralyzed Veterans of America
46701 Commerce Center Drive
Plymouth, MI 48170

Please be sure to denote your selection in the memo line.

Questions? Contact Jaclyn Kochis,

Executive Director, at:

jkochis@michiganpva.org

MPVA

Paralyzed Veterans of America
Michigan Chapter

Proceeds from this event support the Michigan Paralyzed Veterans of America's (MPVA) mission of enhancing the lives of veterans with spinal cord injury or disease. The MPVA is a nonprofit, 501 (c) 3 organization that has worked to make a difference in the lives of veterans in the state of Michigan for over 60 years.



THUNDER IN THE VALLEY
G A M E S



The 14th annual Thunder in the Valley Games for athletes with physical disabilities. The games offer an amazing opportunity to bring people with disabilities together to compete in a very similar model to the Paralympics.

When: June 2-4, 2023

Where: Bridgeport High School
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Events:
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www.thunderinthevalleygames.com

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Please contact Mary Kunz at mary.kunz@ascension.org for inquiries!

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2023 Spring Edition



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