

Angel De Fazio for NTEF. March 28, 2016. Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs

I am appearing today as the President of the National Toxic Encephalopathy Foundation, whose disabled members are being discriminated against and concertedly ignored by the State of Nevada.

Medicine is like the law. You learn about most things, use it to pass the boards, and then much of it is forgotten or remembered in a hazy way years later.

No one in the meeting room today would have a cardio-thoracic or orthopedic surgeon perform neuro-surgery. However, the state has employed people who know and choose to know little about recognized disabilities creating incomplete programs and services.

The alphabet soup of government agencies is confusing, but, this body needs to be aware of the 2016 Federal ICD-10-CM codes, especially G92, G93.40 and its sub-classifications T52-60 and T65.

Even though both the state and DHHS directly receives Federal funds, there is often a second sub-recipient for program administration, per 28 C.F.R. Section 42.102(g).

Despite these Federal funds, which require compliance with the Federal Americans with Disabilities Act, Jane Gruner, the Administrator of Nevada's DHHS Division of Aging and Disability Services (DADS), stated in a March 2015 conversation with me that those individuals with the neurological disability of toxic encephalopathy had "fallen through the cracks."

Ms. Gruner had promised to research and address this omission, but one year later there has been no research or follow up by Ms. Gruner or her staff to mitigate the problems created by self-generated, inattention to this disability. I haven't even had the courtesy of a returned phone call from Ms. Gruner, or her staff.

If Ms. Gruner and her department continue to recognize only a limited number of highly-prominent disabilities by creating programs and services for them, while ignoring other disabilities, it will leave me with no remedy but to file the documented complaint I have assembled with the USDOJ's Office of Civil Rights.

Before being forced to take this dramatic step, I would hope this body understands the gravity of Ms. Gruner's omissions, how her actions negatively impact people who have less publicized disabilities and then proceed to agendize the issue for review and resolution at this Committee's next meeting.