People Who Made a Difference

By Frank G. Bowe

When I realized, after having a while to think about it, that no matter how inclusive I tried to be, it's inevitable that I've left someone out. For that I apologize.

Eunice Fiorito

Eunice Fiorito, who died in November 1999, was a native of Chicago. Eunice became blind early in life. Her first job paid five cents an hour. She moved to New York and soon became the Director of the Mayor's Office on the Handicapped (we actually used to use that word in those days).

Eunice was at the time President of the American Coalition of Citizens with Disabilities (ACCD), then a voluntary organization with no budget and with a tiny, postage-stamp sized "office" in Washington. No matter: Eunice had dreams.

Eunice spoke about civil rights, about disability, about societal obligations to citizens. She profoundly altered my sense of all these things. I had thought that the fact that I was given a so-called "miracle drug" when I was three or four years old, one that later was discovered to cause deafness, was my problem. I had to deal with it, myself. Eunice *taught* me that there was another side of the equation. *Society* had to do something about it.

She showed me how her problems as a blind person were, fundamentally, very similar to my problems as a deaf person — and both were very much like the problems people with physical, mental, and other disabilities University of California at Berkeley determined that society was going to change. He'd had quite enough, thank you, of being told that the university infirmary was the only "dorm" he'd be allowed to stay in, and that if he showed so much effrontery as to dare to go into town, he'd better understand that he was taking his life into his own hands and no one would accept responsibility for anything that might happen to him.

In those days, that was what people thought when they thought about individuals with quadriplegia, especially those who needed iron-lung ventilators to stay alive. That was going to change, and fast, if Ed had anything to do with it. He founded the Center for Independent Living (CIL) in Berkeley and set about hurrying up that change. It speaks volumes that Ed called this simply "the" center for independent living. There were no others — nowhere in the nation.

Wherever he went, Ed brought a global vision. He talked sweepingly about seeing through very different eyes, about talking in very different terms, and mostly about behaving in very different ways. I don't know anyone who listened to one of Ed's speeches without coming away altered by the experience. It was that inspiring to realize that there were, in fact, other possible futures for all of us.

I said there was only one center for independent living. There

since. The phone line is a little different now, though. Through it, Fred can contact 4,000 advocates throughout the nation, in the blink of an eye, mobilizing all of us to action.

Judy Heumann

Judy Heumann grew up in Brooklyn, N.Y. daughter of a no-nonsense Jewish mother who faced down anyone who had the temerity even to suggest that something might not be possible. So when Judy tried to become a teacher, and was told, point-blank, by the New York City Board of Education that "you're a fire hazard," an advocate was born.

She not only sued the Board of Education, she also sued an airline that wouldn't let her fly without a doctor's certificate and a non-disabled caretaker. She was a one woman "Full Employ-ment for Lawyers Act" in the making.

What was incongruent about all this is that Judy was a small woman, petite even, sitting on a powr chair, socks (but no shoes) on her little feet, and flashing a

moved, an Oklahoma boy moved to Texas. This was one smart Okie. Lex Frieden ventured into a land of oil speculators and cowboys who flaunted their physical presence with swashbuckling vigor, and didn't give an inch.

When Justin Dart decided to become active in disability rights, it was to Lex Frieden that he turned.

Justin Dart

In the mid 1970s, Lex invited me to Texas and, with just a glance into my eyes, introduced me to Justin. That was Lex's way. To accuse him of understatement is to say Jerry Springer is flamboyant. Only much later did it occur to me what his eyes were telling me: "Frank, you're going to remember this moment for the rest of your life. Someday you'll know why."

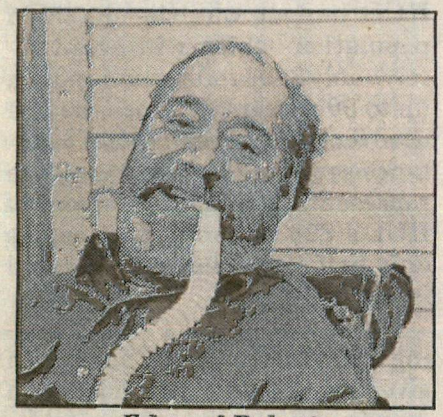
Years later, Lex and Justin sat in their chairs in a hotel room in Arlington, Va., talking with me about how the time had come to move beyond section 504. It was 1984. The idea they were discussing eventually became know as the Americans with Disabilities Act.

She profoundly altered my sense of all these things. I had thought that the fact that I was given a so-called "miracle drug" when I was three or four years old, one that later was discovered to cause deafness, was my problem. I had to deal with it, myself. Eunice taught me that there was another side of the equation. *Society* had to do something about it.

She showed me how her problems as a blind person were, fundamentally, very similar to my problems as a deaf person — and both were very much like the problems people with physical, mental, and other disabilities faced. It was that understanding in 1974 and 1975 that cross-disability advocacy was the way to go that made Eunice so prominent in any history of disability rights. No one else was talking that way in those days.

Edward Roberts

Thousands of miles west in Berkeley, California, Edward V. Roberts had come out of the



Edward Roberts

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I said there was only one center for independent living. There

Fred Fay

was, until a young man out of Washington, D.C., by way of the University of Illinois, created one, the Boston Center of Independent Living. His name was Fred Fay. Years later, his body as useless as Ed's had been, Fred continues to change the world.

Twenty years ago, I asked technicians from New England Telephone to set up a speaker phone in Fred's home. It was his lifeline to the world. It still is. Fred hasn't left that house in Concord, Mass.

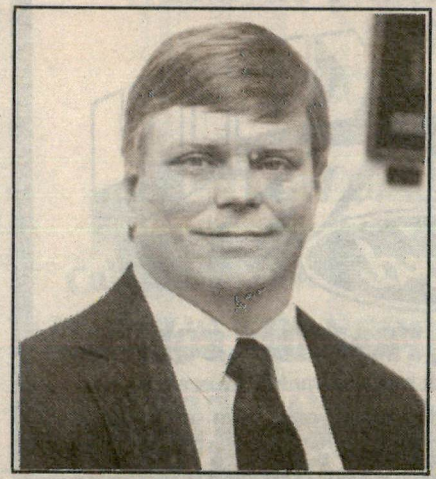
teacher, and was told, pointblank, by the New York City Board of Education that "you're a fire hazard," an advocate was born.

She not only sued the Board of Education, she also sued an airline that wouldn't let her fly without a doctor's certificate and a non-disabled caretaker. She was a one woman "Full Employ-ment for Lawyers Act" in the making.

What was incongruent about all this is that Judy was a small woman, petite even, sitting on a powr chair, socks (but no shoes) on her little feet, and flashing a smile that reminded me of Darlene on the Mickey Mouse Club television show. A more unlikely-looking fire-breathing dragon is difficult to imagine. Today, Judy wears shoes. She also wears a title: Assistant Secretary, U.S. Department of Education.

Lex Frieden

Around the same time that Judy was suing anything that



1984. The idea they were discussing eventually became know as the Americans with Disabilities Act.

Justin Dart

Were there others? Of course there were. Helen Keller, born before the turn of the century, grasped what Eunice Fiorito later taught me, that the real problems we face are societal, not medical. Frederick C. Schreiber singlehandedly changed the National Association of the Deaf from a social club into a social force. Kenneth Jernigan, for all the differences I had with him, did much the same for the National Federation of the Blind. But these were, for the most part, single disability leaders.

Frank G. Bowe, Ph.D., is a professor of special education and rehabilitation at Hofstra University on Long Island. From 1976 to 1981, he was the first executive director of the American Coaltion of Citizens with Disabilities (ACCD), at the time the nation's foremost lobbyist for Americans with disabilities.

1990	1990	1996	1999
Americans with Disabilities Act	Education for all Handicapped Children Act changed to IDEA, Individuals with Disabilities Education Act	Mental Health Parity Act	Work Incentive Improvement Act

Spring 2002

One in Five

Local and national news for people with disabilities, their friends, and families. *One in five Americans has a disability.*

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An Alpha One Publication

Volume 1 Issue 2

Boy and dog navigate life together

By Karen Farber

For children with autism and related disorders, the world can be an incomprehensible and sometimes dangerous place. Trained dogs can help protect these children and offer them an opportunity for increased and improved social interaction. Carl White, an almost 13–year old northern Maine resident with Asperger Syndrome (AS), and Peaches are just such a pair.

AS is a developmental disorder characterized by severe and sustained impairment in social interaction and by the development of restricted and repetitive patterns of behavior, interests,

Maine resident Carl White and his service dog, Peaches, met at

See story on page 4.

Profile

Former clerk of the Maine State House, Joseph A. Mayo, continues serving the state and its legislature with the help of assistive technology.

See story on page 8.

Products

- **Text-based wireless messaging**
- **Personal Assistant issues task reminders**
- **Creating accessible toys**

See stories page 12.

tained impairment in social interaction and by the development of restricted and repetitive patterns of behavior, interests, and activities. The disorder may manifest itself through stilted and repetitive speech in a flat and emotionless voice. Someone with AS may be obsessed with complex topics, but lack common sense. Movements tend to be clumsy and awkward.

Individuals with AS are socially aware but display inappropriate reciprocal interaction. Odd or unusual behaviors (e.g. gaze avoidance or turning away at the same moment as greeting another) are often interpreted as intentional rudeness or bad behavior.

Maine resident Carl White and his service dog, Peaches, met at National Education for Assistance Dog Services, Inc. (NEADS) of Princeton, Mass., in November 2001. Carl has Asberger Syndrome.

Carl's mother, Debbie, an elementary schoolteacher, learned about the use of service animals by people with autism related disorders while researching the disabilities of two of her students.

"One night we met a woman who had a dog with her. It turned out that she raised puppies for NEADS (National Education for Assistance Dog Services, Inc.). Watching our son completely and noticeably relax when he met the dog encouraged us to keep exploring the possibility of obtaining a service dog," Debbie explained.

NEADS fit Carl's family well—it was willing to work with children under 16 years of age and

See Dog— page 6

Independent living: It takes three— public sector, private sector, and individual

Lex Frieden, independent living activist, advises: Stay informed and be part of an organized, cross-disablity alliance of advocacy groups.

Responsibility for the improvement in services for those with disabilities must be shared by the public and private sectors, as well as the individual, believes Lex Frieden, independent living activist, professor, and business person.

"It's in the best interest of the public sector that people with disabilities be as independent as possible, through services like attendant care and vocational rehabilitation, which help people get off public welfare rolls. It's a private responsibility too. Not all good should come from the public sector. And, the individual must assume some responsibility. Otherwise we're subject to others' requirements and demands," Frieden said.

Obstacles to the general availability of assistance needed to maximize independent living are related to organization and communication, according to Frieden. "People who understand what is needed are not that well organized and

See Independent Living—page 7

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News

Independent Living

— from page 1

they haven't communicated the solutions very well. If we could do both, the financial and political issues would solve themselves," he said.

Frieden advises people with disabilities: Stay informed and be a part of an organized, cross-disability alliance of advocacy groups like the American Association of People with Disabilities (AAPD) (see **www.aapd.org**) and National Council on Independent Living (NCIL) (see **www.ncil.org**).

Saying that those with disabilities need jobs is too simple, said Frieden. "Employment is a key, to some degree, for financial independence. Employment without support services is of no value."

Neither housing assistance nor attendant care assistance for people with disabilities who have jobs has ever been adequately addressed, Frieden believes. "Attendant care is a bigger challenge with a job because there is no program." The unemployed receive attendant care assistance through Medicaid.

It comes down to housing, attendant care, transportation, and employment, Frieden believes. "And then, what's the point without recreation? If you can't improve the quality of life?"

In December, President George Bush announced his intent to nominate Frieden to the National Council on Disability (NCD). Upon Frieden's confirmation by the U.S. Senate, he is expected to be designated chair. The NCD is an independent federal agency making recommendations to the President and Congress on issues affecting 54 million Americans with disabilities.

Frieden, a quadriplegic, lives with his wife, Joyce, a paraplegic, their 11-year old grandson, and their friend Mac Brodie, a Vietnam veteran who has no short-term memory due to a brain injury. Each contributes to the household, assisting one another according to their respective abilities.

A founder of the independent living movement, Frieden has served as executive director of the NCD, was instrumental in creating the Americans with Disabilities Act, and is a former recipient of the prestigious Henry B. Betts Award for disability advocates.

"It's in the best interest of the public sector that people with disabilities be as independent as possible..."

—Lex Frieden

Frieden serves as senior vice president with Houston, Texas-based The Institute for Rehabilitation and Research (TIRR), a comprehensive medical rehabilitation center which provides clinical, educational, and research programs pertaining to spinal cord and brain injuries. He is also director of TIRR's Independent Living Research Utilization Program and is a professor of physical medicine and rehabilitation at Baylor College of Medicine.

A graduate of Tulsa University, Frieden holds a Master's degree in social psychology from the University of Houston. He is also the recipient of two Presidential Citations for his work in the field of disability. Among his many other efforts, Frieden currently serves on the board of Alpha One Enterprises in South Portland.

Asked what the biggest challenge facing consumers today is, Frieden said, "Maintaining personal integrity and the integrity of our rights. I've come to be an optimist but I'm also a realist that some rights are hanging on by a thread — funding for medical rehabilitation, mental health, and attendant care services are in constant jeopardy and this makes me nervous." ■

Looks like Justin has been reincarnated - see caption.

ls!

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The Lady Cougars look to put a surge back in their game and defend home court

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HOLIDAY SOUNDS

Her Space Holidays' jazzy, emo sounds are soothing to the mind

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THE DAILY COUG

The official student newspaper of the University of Houston

volume 68, issue 81

FRIDAY, JANUARY 24, 2003

JONNY KOW/The Daily Cougar

The namesake of the new Center for Students with Disabilities, Justin Dart Jr., seated center, helps a host of other dignitaries cut the ribbon in the grand opening of the facility Thursday.

Facility, services open

by HEATHER NICHOLSON
The Daily Cougar

The new Center for Students with Disabilities opened with an official ribbon-cutting Thursday, offering more service and an improved environment in honor of the "father of the disability movement," UH alumnus Justin Dart Jr.

In an effort to advance services and reach out to students with disabilities, center officials have been deeply involved in the project.

"It's been a real learning experience for me," said Cheryl Amoruso, director of the Center for Students with Disabilities, said. "I wanted to make sure this building was the most accessible building possible."

Before the project began, Amoruso researched textbooks on architecture for the disabled and received tips and ideas from the National Disabled Veterans Association.

"The biggest struggle has been accommodating all types of disabilities," said Amoruso.

The building was named in honor of wheelchair-bound Dart, who began his disability activism on campus after being rejected by the Department of Education.

"Justin came to the University of Houston to major in education, to receive a teaching certificate," said UH President Arthur K. Smith at the ribbon-cutting ceremony. "His goals were denied to him because he was a wheelchair user."

The Justin Dart, Jr. Center for Students with Disabilities doesn't deny any student with a disability, and hopes that the beautification of the building, new furniture and modern technology encourage all students to use the facility.

The new building includes testing rooms with voice-activated systems, computer labs equipped with large monitors, soundproof booths for students with Attention Deficit Disorder. Counselors are on hand to work with students to "develop an accommodation plan," said Amoruso.

"You have the power, live the dream" is the center's new motto and a famous quote by its honoree, Justin Dart, Jr.

Although Dart's mission was to promote diversity for all minorities: "People with disabilities, different ethnic backgrounds, women, gays and lesbians, everybody," said Amoruso.

The center is "in honor of a person recognized throughout the world for his passion and persistence in a fight for the rights of America's disabled and the rights for all people," said Smith.

Currently, 735 students are registered with the disability center.

"We try to spread the word about our services," said Amoruso, "but many students will go unregistered."

The center's services aren't limited to students with physical disabilities, they are welcome to people with learning disabilities as well.

Officials look into UC fire cause

by RAY HAFNER

'First-y show d

by MATT DULIN
The Daily Cougar

One of the most diverse stude organizations on campus, the fir year pharmacy students held International Day on Thursday celebrate their varied heritages.

"We all get excited about rep senting our cultures and c beliefs," said Anna Scott, vi president of the first-year pharm cy class. "We're made up of ever body."

"The whole idea is to get t whole school together to meet c first-year students. It's a traditi for the school of pharmacy. Eve first-year class does Internatior Day," said Karen Severson, pre dent of the Pharmacy Council. T Pharmacy Council oversees t activities of all of the pharma organizations and the activities each pharmacy class.

The two-hour event, which to place on the UC patio, includ booths representing six differe nationalities serving myriad fo

SPC lea

Staff shortage,

Cougar News Staff

Despite staff shortages and high learning curve for ne recruits, Student Publications lea ers said they had strong progress their monthly reports to the Stude Publications Committee meeti Thursday.

Every department representati said new staff members had be hired and were in training.

Student Publications Direct Dick Cigler informed the comm tee that the department will ma its presentation to the Student Fe

The Atlanta Journal-Constitution
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HURRICANE KATRINA: THE AFTERMATH

Disabled evacuees languish

Advocates: Help for special-needs victims lacking

By PATRICIA GUTHRIE
pguthrie@ajc.com

Dwayne Russ needs his electric wheelchair. Janelle Lytle needs her constant companion.

Both temporary residents at Roswell Nursing and Rehabilitation Center, they face additional challenges that some local advocates say aren't being met for "special-needs" survivors of Hurricane Katrina.

They need wheelchairs, scooters and walkers that were destroyed or left behind. They need medication and their government disability checks. They need to know how they will ever live independently again.

At the same time, they're still tormented by the recent past. Many people just like them, they say, were left to die.

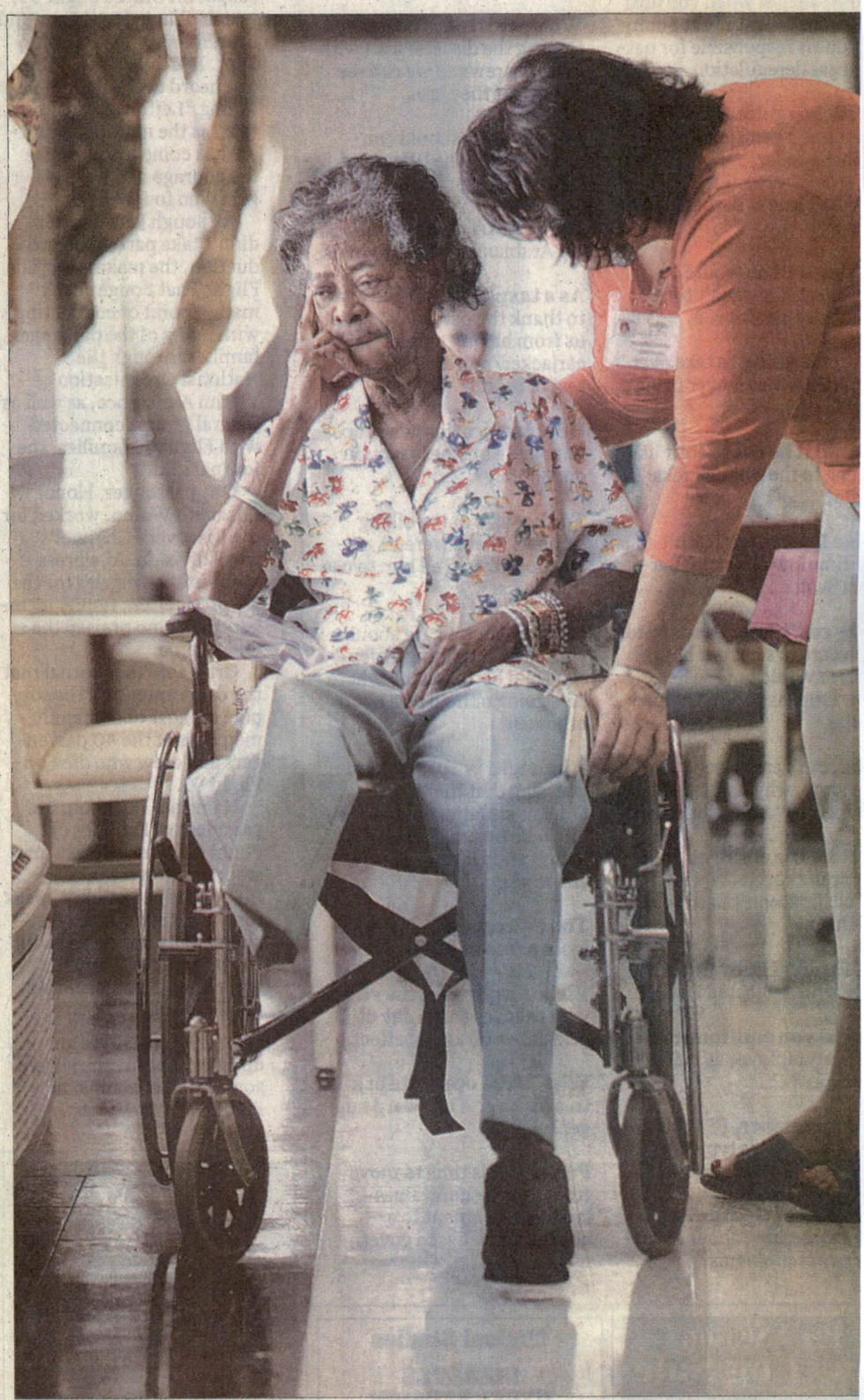
"It became self-preservation," says Russ, 44, who is paralyzed. He was among the last medically fragile residents rescued from New Orleans' floodwaters. "That's a sad thing. If you got your health and strength, you got out."

In metro Atlanta, 79 evacuees from Louisiana ended up at more than a dozen nursing and long-term care centers, said Edna Jackson with Georgia's Office of Aging. The majority are at the Roswell home because it had 50 beds open.

A few already have been reunited with family or friends, traveling with donated frequent-flier miles.

"The memories are very

➤ Please see **DISABLED, B4**



JOHN SPINK /

Marie Jones, a diabetic with high blood pressure, details her evacuation from a New Orle nursing home to administrator **Michelle Giesken** at the Roswell Nursing and Rehab Cent

INSIDE, B3

➤ Police try to calm evacuees in Mobile, while New Orleans wonders why floodwalls failed.

THE DAILY TEXAN

Activists support disabled rights bill

By CHRISTIAN MCDONALD
Daily Texan Staff

UT disabled rights activists said Thursday they support compromise legislation — which cruised through a U.S. Senate committee Wednesday — that would further extend civil rights for people with disabilities.

Rose Aird, a former president for the UT All Bodies Learning Equally, said the bill would be a great help in providing civil rights for people with disabilities.

"It is about time that disabled people have the same civil rights as other minorities under the law," Aird said.

The Americans with Disabilities Act of 1989, which was passed unanimously by the Senate Labor and Human Resources Committee, has yet to be scheduled for floor debate before the full Senate.

But Lex Frieden, executive director of for the Texas Institute for Rehabilitation and Research, said the bill gained a boost Wednesday when President Bush and leading senators agreed to support the legislation.

"The fact that the president agreed to support [the bill] will help ensure it passes the Senate," he said.

Carole Patterson, executive director for the Coalition of Texans with Disabilities, said if the new bill passes, it will not directly affect the University because UT officials must already provide the pertinent services under federal law.

"UT is already covered [under section 504 of the Rehabilitation Act of 1973] because it is a publicly funded university," said Patterson, a UT graduate. "It will affect the graduates with disabilities by providing protection against discrimination. They will now be covered by laws that were not present before."

Patterson said since the legislation covers private businesses, companies paid by the University would have to comply with the bill's provisions if it becomes law.

"Some of the changes will be with some of the companies that they contract out with," she said.

The bill guards against discrimination on the basis of disabilities — in employment, public accommodations, housing, communication and travel.

The 1989 bill is a revised version of an unsuccessful 1988 bill that called for anti-discrimination standards for businesses with 15 or more employees. The current legislation is a compromise that will cover businesses with 25 or more employees for four years and then expand to cover those with 15 or more workers after that.

Patterson said even with compromises made among Labor and Human Resources Committee members, the bill is broad enough to help equalize civil rights for people with disabilities.

TODD DRUMWRIGHT/The Facts

Houstonian Lex Frieden demonstrates how his voice-operated computer program works. Frieden will be the guest speaker at the Brazosport PC Club meeting Wednesday at 7:30 p.m. The meeting will be held at the Lake Jackson Library.

Frieden finds voice for disabled people with new technology

By ADRIENNE COLEY WEBBER
The Brazosport Facts

"*Voice console, wake up!*" — Lex Frieden activates the VoiceType program on his IBM personal computer.

"*Whiskey ... Papa ... Choose 10.*"

Frieden sets the computer up for the word processing mode.

"*Choose 5 ... Enter key ... Whiskey ... Enter ... OK. Begin spell mode ... Charlie ... Choose 1 ... Choose 4 ...*"

Frieden is now ready to begin "typing" his letter.

He begins his dictation. The computer fails to recognize a particular word Frieden has spoken into the microphone. It gives him a list of similar-sounding words.

"*Choose 4.*"

Frieden selects the correct term from the list. The computer inserts his selection into its proper place in the text. Frieden continues with his dictation.

"*... New line ... New paragraph ... Oops!*"

Frieden discovers a mistake in the text.

"*Choose 3.*"

The computer backtracks and corrects the mistake. Frieden continues typing his letter.

"*Voice control, go to sleep!*"

Having finished his letter, Frieden shuts the computer system off.

Computers play an important role in Lex Frieden's life. He uses a computer both at work and at home. He types memos and reports on his computer, he does his taxes on his computer, he makes contact with the rest of the world through his computer — he even plays chess with his computer. And he does it all without ever having to touch the keyboard.

Frieden controls his computer with his voice, one of the few things about his body that he still has control of.

Twenty-four years ago, while in his first semester of college at Oklahoma State University, a tragic car accident left Frieden with a dislocated neck and a severed spinal cord. As a result, most of his body was rendered virtually useless.

"I was sitting in the middle of the back seat in a car full of people. We had a head-on collision with another car load of students — there were four of them in the other car. The ambulance came and took all 9 of us to the hospital, but I was the only one that didn't have any cuts or bruises. Just by looking at me, I didn't have any apparent injuries. But I knew there was somthing wrong with me — I couldn't move anything," Frieden recalls from the day that forever changed his life.

Frieden's neck had broken at the fifth vertebrae. Three days after the accident, he went into surgery where doctors repaired the broken vertebrae, using a stainless steel wire to stabilize his neck. Unfortunately, there was nothing they could do to repair his severed spinal cord.

Frieden spent five weeks in an Oklahoma hospital before he came to Houston to begin rehabilitation at The Institute for Rehabilitation and Research (formerly known as the Texas Institute for Rehabilitation and Research). He spent three months at TIRR before returning to Oklahoma to finish college at the University of Tulsa, where he earned a bachelor's degree in psychology.

Even though the circumstances weren't the greatest, Frieden says he fell in love with Houston during his three-month stay. Consequently, he chose to return and study for his master's degree at the University of Houston.

"I was in bad condition (right after the accident). I was flat on my back on a bed — I couldn't move anything. But after three months at TIRR, I learned to use a wheelchair and I knew how to take care of myself. Those were probably the best three months I've spent in my life.

"It (the accident) was terrible, but I learned two things from it — don't ride with drunk drivers and always wear your seatbelt," Frieden says soberly.

Nowadays, Frieden gets around in a battery-powered wheelchair. Limited upper arm movement and a brace-type device worn on his right forearm (called an orthosis) allow him to maneuver his wheelchair with a joystick. The orthosis also allows him to hold small utensils such as a pencil or a toothbrush.

"The three months I spent at TIRR were basically the only rehabilitation I have had. I can move both arms somewhat, but I have no good hand or finger function. I can feel most of what I can move ... I can feel from my head down to my elbows and about midway down my chest.

"I can feel deep sensations and vibrations in my hands, but I can't feel heat. I have burned my hands many times and caught my fingers in several doors. You learn to accommodate for these losses, though," says Frieden, now 43.

Frieden's disabilities may have slowed him down a little, but they certainly haven't stopped him. He currently holds two jobs —

See FRIEDEN, Page 5C

Frieden to speak at PC meeting

Serving as guest speaker for the August meeting of the Brazosport PC (Personal Computer) Club will be Lex Frieden of Houston.

Frieden, who lost most of the use of his hands and his lower body in an automobile accident several years ago, will demonstrate the use of a voice-controlled PC system, called VoiceType, at the meeting.

VoiceType is a speech recognition system that gives a computer the ability to recognize the English language. With VoiceType and a microphone installed on the computer, anything that can be done on the keyboard can be accomplished with one's own voice.

"There are two messages that I would like to convey as I speak to this group," Freiden says. "I think most people will be fascinated by this speech-recognition technology and will want to know how it can do this and how it works. So, my first goal is the demonstration.

"My second goal is to help people become more aware of the many ways that computers can be used to benefit people with disabilities," Frieden says.

Frieden will also have printed information on VoiceType to distribute to those in attendance.

The meeting will take place Wednesday at the Lake Jackson Library beginning at 7:30 p.m. All interested parties are invited to attend.

"We chose to have the meeting at the library because we thought it be one of the most easily accessible places for the handicapped to get to," says Ron Obenhaus, club president.

"We are hoping that people with handicaps will hear about the program and come to the meeting to learn more about what computers can do for them," Obenhaus says.

Frieden works as an assistant professor in the department of physical medicine and rehabilitation at the Baylor College of Medicine. He also serves as senior vice president for The Institute for Rehabilitation and Research.

By ADRIENNE COLEY WEBBER

FRIEDEN OPENS DOORS WITH CHANGES FOR DISABLED

Lex Frieden came to The University of Tulsa almost two decades ago as an innovator. As a quadriplegic, Frieden found many facilities were not available to him. He chose TU because administrators were willing to make the necessary accommodations.

Frieden, a 1972 TU graduate and 1979 Distinguished Alumnus, recently was appointed executive director of the National Council on the Handicapped in Washington, D.C., by President Ronald Reagan.

The newly-established federal agency reviews all federal laws, programs, and policies that affect disabled individuals. Frieden was selected after a nationwide search among outstanding leaders in the field of rehabilitation, said Sandra Swift Parrino, chairperson of the fifteen-member council.

The new director is perhaps one of TU's greatest fans.

"When I went to TU there weren't any laws that said schools had to accommodate people with disabilities," he said in a recent phone interview. "Harry Carter, then dean of students, and Dr. Elmer Ferneau, former dean of the College of Education, encouraged me to come. They said they would do what needed to be done to help me get an education.

"Dr. (Edwin) Strong and Dr. (Paschal) Twyman came to TU before I graduated. Both were very supportive, not only of me, but of all disabled students at the University. They saw to it that new buildings were made accessible and old buildings were remodeled to be accessible.

"If I and other people with disabilities had not been welcomed, I might not have sought a formal education. It is a credit to the University."

In 1967, Frieden, a native of Ada, Oklahoma, broke his neck in an automobile accident, leaving him paralyzed from the neck down.

"Only three or four schools in the country were accessible to wheelchairs in 1967," he said. "And communities were making very few accommodations for people with disabilities."

Other doors inadvertently closed to Frieden led to most restaurants, public restrooms, and meeting rooms, he said. Travel was also limited since airplanes couldn't accommodate people in wheelchairs.

"Much has changed because of the enlightenment of community leaders and because of legislation," Frieden said. Discrimination against handicapped people was specifically addressed in the 1973 Rehabilitation Act, which acknowledged the rights of people with disabilities.

"Since then change has come very fast. I have access to almost any community now," Frieden added.

But has the change been fast enough?

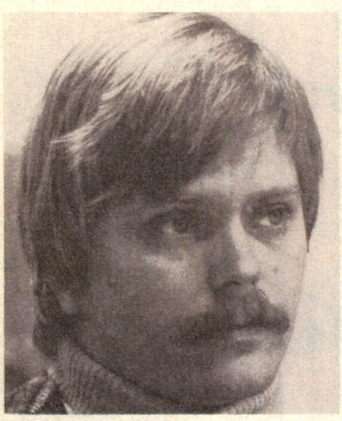
"I'm a very positive person," Frieden replied. "Ten years ago most children with disabilities did not receive free public education, even with a ten-year-old act stating they must. Today they do, and most people don't realize what it was like before.

"But is the change fast enough? If it's a cold night and I'm outside a hotel that has a bathroom a wheelchair can't fit through, it's not fast enough. But things are better. I like to keep a positive attitude."

Since he has been handicapped, Frieden has become a nationally-recognized proponent for the disabled. After graduating from TU, he earned a master's degree in social psychology from the University of Houston. Frieden then did additional graduate work in rehabilitation psychology at the University of Houston, and in 1980 was awarded a World Rehabilitation Fund Fellowship to spend eight weeks studying programs for disabled people in Europe.

While at the University of Houston, Frieden worked as resident manager of an innovative program designed to provide noninstitutional living opportunities for severely disabled people. The Cooperative Living Project was one of only three such programs available in the nation. Today there are 200 in the United States thanks to growing government support and Frieden's campaigning efforts.

In 1975, Frieden helped form Houston's Coalition for Barrier-Free Living and the American Coalition of Citizens with Disabilities, a national organization representing all disabled people. Through the coalition, Frieden represented people at state, regional, and national meetings, including the 1977 White House Conference on Handicapped Individuals.



Lex Frieden

For his work, Frieden was selected as one of the Jaycee's Ten Outstanding Young Men in 1983. Prior to being named to the National Council on the Handicapped, Frieden was assistant professor of rehabilitation at Baylor College of Medicine in Houston.

Conditions for handicapped people have improved enough in the Washington area that Frieden can take public transportation from his home in Alexandria, Virginia, to his office on Independence Avenue in Washington. With his attendant, Mac, Frieden takes a public transit minibus to the subway and rides the subway to a stop about a half-block away from his office, which is on the seventh floor. Some days Frieden goes to Capitol Hill to meet with congressional staff members or to other government offices.

He does all this despite the fact that he has no use of his lower body and limited use of his upper body. He is able to hold a phone to his ear, but needs a brace on his arm to write.

Although he is a top government employee, appointed by the president, Frieden said because of his condition, he is labeled "unable to work" by some government agencies.

The National Council on the Handicapped is working to redefine "disabled" for those agencies, and reword the social security and disability insurance laws, which may actually lead people with handicaps to be less productive, giving them what Frieden calls "disincentives."

"There are things one gains by being disabled," he said. "Disability insurance is designed so the more severe your disability, the more money you'll get.

"We need to build in incentives, so people don't have to act more disabled than they are. People with disabilities shouldn't have to depend on transfer payments of social security," he added.

Frieden is also concentrating on moving handicapped people out of public institutions and into more independent living areas.

"There are many people both mentally and physically handicapped who are living in institutions supported by taxpayers," he said. "If they lived more independently in the community, the cost would be much less."

Frieden wants more funding for high-tech equipment to make people more independent.

"They're caught in a Catch-22," he said. "Many people could go to work if they had access to the technology, but they can't afford the technology without going to work.

"The old ways of treating disabled people have failed to change. We're stuck in the past with out-of-date kinds of principles," he said. "We need to break that negative chain."

Frieden lives with his wife of eight years, Joyce, a paraplegic as the result of illness; Joyce's fourteen-year-old sister, Missy; and Frieden's personal attendant, Mac, who was brain injured in Vietnam. In his spare time, Frieden watches basketball on television or plays with his micro-computer.

When asked what everyone should know about being disabled, Frieden answered, "This is a little bit scary, but one thing people need to stop and think about is that with so many risks in life anybody could be disabled tomorrow.

"That doesn't need to be a threat. All of us at some point in our lives are going to become disabled whether through accident, illness, or age. This fact must determine how we design our society for the quality of life we desire."

Teresa McUsic

Health-Care Report Cards Are Getting Low Grades From Some Focus Groups

By Ron Winslow
Staff Reporter of The Wall Street Journal

Consumers consult buyers' guides for everything from toasters to Toyotas. So it stands to reason that many are clamoring for data ranking the performance of health providers.

But many aren't, including Alan Smith, a 49-year-old telecommunications specialist. After spending several minutes poring over a prototype report card that rated a hospital on 28 different criteria, he said: "I'd probably rely on a doctor's recommendation more than this in making a decision whether to go there."

Mr. Smith participated in a recent focus group in Westchester, Ill., arranged by the Joint Commission on Accreditation of Healthcare Organizations. His comment amounts to a reality check for the burgeoning movement to provide consumers with report cards on the quality of care delivered by doctors, hospitals and health plans. Employers and health-reform advocates are counting on report cards to play an important role in health-care reform in the belief that consumers armed with such data will make sure providers don't sacrifice quality to hold down costs.

According to focus groups and other data, a gap exists between the kind of information employers and policy makers consider important and what consumers want. Moreover, as more consumers get care from providers recommended by their health plans, they may find limited usefulness in data ranking individual doctors and especially hospitals.

"Every health-reform proposal [in Washington] has a consumer report-card component," says David B. Nash, director of health policy and clinical outcomes at Thomas Jefferson University Hospital, Philadelphia. "But one of the major problems . . . is, what kind of report cards are we talking about?"

The National Committee for Quality Assurance, or the NCQA, a Washington, D.C., group that accredits health plans, has launched a report-card project to rate health-maintenance organizations based in part on such standardized quality measures as immunization and mammography rates and hospitalization rates for children with asthma or adults with congestive heart failure. Some employers view such criteria as important indicators of quality and are using them in deciding among health plans for their employees.

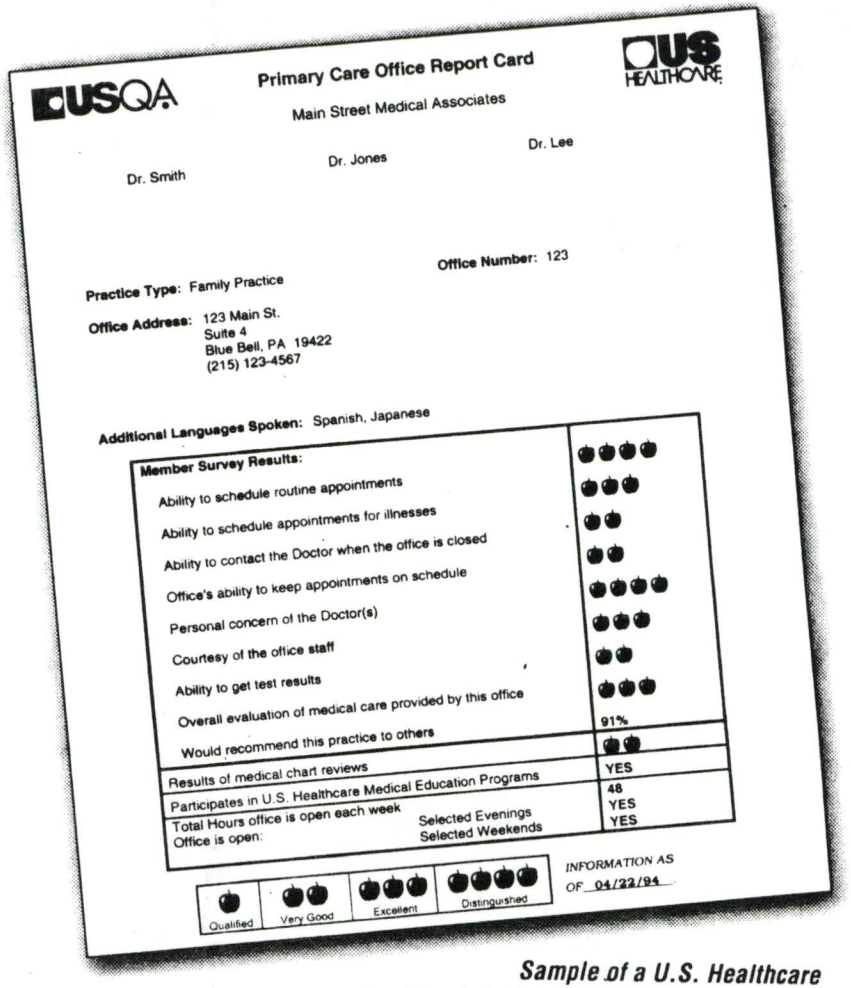
But a recent national survey by Harvard Community Health Plan, the big Boston HMO, found that among five categories of information, consumers themselves placed the lowest value on these quality measurements in choosing a health plan. They preferred information on which doctors belong to the plan, what care is covered and how satisfied other members are with their care. And 55% of the 750 respondents indicated they considered a health plan's reputation among friends, neighbors and co-workers more important than satisfaction surveys and standardized quality ratings.

"We've got a lot of work to do to let individuals know how those kinds of quality measures might be important to them," says John Ludden, medical director at Harvard Community Health Plan and a participant in the NCQA project.

The NCQA acknowledges that consumers evaluating prototype quality ratings have found them difficult to understand. "Part of the problem is that we're at such a primitive stage" in developing report cards, says Margaret E. O'Kane, president of the NCQA.

Of course, consumers are often initially skeptical of new products or procedures. But once they become more widely available, consumers often find them useful -- even indispensable. Ms. O'Kane expects consumers who now consult neighbors for information on a prospective doctor's bedside manner will eventually use

Please Turn to Page B6, Column 4



USQA — Primary Care Office Report Card — US HEALTHCARE

Main Street Medical Associates

Dr. Smith, Dr. Jones, Dr. Lee

Practice Type: Family Practice
Office Number: 123
Office Address: 123 Main St., Suite 4, Blue Bell, PA 19422, (215) 123-4567
Additional Languages Spoken: Spanish, Japanese

Member Survey Results:	
Ability to schedule routine appointments	●●●●
Ability to schedule appointments for illnesses	●●●
Ability to contact the Doctor when the office is closed	●●
Office's ability to keep appointments on schedule	●●
Personal concern of the Doctor(s)	●●●●
Courtesy of the office staff	●●●
Ability to get test results	●●
Overall evaluation of medical care provided by this office	●●●
Would recommend this practice to others	91%
Results of medical chart reviews	●●
Participates in U.S. Healthcare Medical Education Programs	YES
Total Hours office is open each week	48
Office is open: Selected Evenings	YES
Selected Weekends	YES

Qualified ●● | Very Good ●●● | Excellent ●●●● | Distinguished ●●●●

INFORMATION AS OF 04/22/94

Sample of a U.S. Healthcare report card, in this case rating a family practice

Health-Care Report Cards Receive Bad Marks From Some Consumers

Continued From Page B1

report-card data as well.

The report card being developed by the joint commission is derived from data it gathers as the chief accrediting body for more than 5,300 hospitals in the U.S. but has never made public. "This is a sea change for us," says Dennis O'Leary, the commission's president. "The public is saying, we're going to have information [on health providers]. For us to say, 'We've got the good information, but you can't have it,' is foolish."

But translating such data into terms meaningful to consumers isn't easy. The commission's proposed format gives a hospital an overall performance score and an indicator of how it stands against other facilities; it does the same thing for 28 individual categories.

For instance, an evaluation of a fictitious "General Hospital," distributed to members of the focus group in Westchester, said the facility scored 80 overall, which was better than 68% of all other hospitals evaluated within a three-month period. Then it rated the facility on such topics as "assessment of patients" (81, better than 67% of other hospitals) or "medication use" (78, better than 62%). The report card also rated services such as emergency care.

Many of the 10 focus-group members, most with recent or pending hospital stays, welcomed the prospect of such rankings, but some considered the technical content more suitable for doctors or health-plan administrators. Others wanted to know if the hospital helped with billing problems, an issue of no concern to the commission.

John B. Laing, vice president for marketing and external relations at the commission, says participants in other focus groups were more enthusiastic but acknowledges that consumer interest in the data is difficult to predict. The commission expects to publish its first reports on about 500 hospitals by the end of this year.

Meantime, officials at **U.S. Healthcare** c., the HMO based in Blue Bell, Pa., have ten a different tack. As part of a gram to evaluate its member physis, the HMO sends out one million omer-satisfaction surveys a year to its bers. Now, based in part on the ngs, it can prepare a report card g each of its primary-care doctors on such criteria as ease of scheduling appointments, office-staff courtesy and ability to get test results. This month, it is testing the report card during an open-enrollment period when New York City employees are choosing health plans.

"We very much believe in sophisticated measures of performance," says Steven Zatz, president of U.S. Healthcare's U.S. Quality Algorithms unit. "We also believe the consumer wants a lot of information about what their experience is going to be like."

P&G Sues Ranir/DCP, Mi-Lor Over Design Of Toothbrush Handle

By a WALL STREET JOURNAL *Staff Reporter*

CINCINNATI – **Procter & Gamble Co.** said it filed lawsuits against **Ranir/DCP Corp.** and **Mi-Lor Corp.**, alleging violation of the design patent and product-configuration rights of P&G's toothbrush handles on its Crest Complete line.

In addition to unspecified monetary damages, the consumer-products concern said its suit seeks to stop Mi-Lor and Ranir/DCP from making and selling the toothrushes in question.

P&G also is asking that all toothbrush inventory in violation of its rights be destroyed. The Crest Complete toothbrush includes a ribbed insert on the handle and distinctive shape, P&G said.

Ranir/DCP, based in Grand Rapids, Mich., makes the Oral Pure-brand. Ranir/DCP President Barry Silverman said: "According to what we are manufacturing, we feel there is significant difference in the two products." He added that Ranir/DCP looked into the similarities of the handles before developing its product, which he said the company had been marketing for six to seven months and "never heard a word about it before."

The toothbrushes under dispute made by Leominster, Mass.-based Mi-Lor are sold under the Kare, Pro and Thrifty names, P&G said. Mi-Lor's president declined to comment.

P&G wouldn't name a federal district court where the suits were filed.

Philosophically Handicapped

Your April 22 editorial "The Antibodies Strike Back" stated that Dr. Eileen Gardner was "hounded out of" her position at the Department of Education by the "usual crazed antibodies." You imply that anti-Reagan liberals unjustly forced the resignation of a qualified professional educator simply because she is conservative and Black. And you state that "someone near or at the top" in the White House should have had "the brains and nerve" to call her and say, "Don't you dare [resign]."

I am a Reagan appointee. I consider myself to be a legitimate conservative. I do not agree.

The Washington Post has quoted Dr. Gardner as saying: "They [the handicapped] falsely assume that the lottery of life has penalized them at random. This is not so. Nothing comes to an individual that he has not, at some point in his development, summoned. Each of us is responsible for his life situation." And, "There is no injustice in the universe. As unfair as it may seem, a person's external circumstances do fit his level of inner spiritual development. . . . I'm saying that what happens to a person in life, the circumstances a person is born into—the race, the handicapped issue, sex, whatever—those circumstances are there to help the individual grow towards internal spiritual perfection. . . . We are on Earth not mainly to promote our secular equality but to use our varying Earthly circumstances to perfect ourselves morally."

These statements clearly reflect a primitive, universally discredited, authoritarian philosophy that was used for thousands of years to support all manner of official and traditional oppression, including segregation, slavery and feudal and caste systems. They could be the basis of an effort to justify the perpetuation of obsolete public and private policies and attitudes which infringe the basic human rights of more than 36 million Americans with disabilities, and severely limit the fulfillment of their life-quality potential.

While I support Dr. Gardner's constitutional right of free speech, I feel very strongly that her philosophy disqualifies her from holding any position of significant responsibility in a modern democratic government—particularly a position involving the creation of policy for institutions of public education. And I reject the assertion that this is an issue of liberal vs. Black conservative.

Finally, as a staunch supporter of President Reagan, I vehemently object to any implication that he might hold or support the views attributed to Dr. Gardner, and that his acceptance of her resignation indicates that he and/or his top advisers lack "brains and nerve." In a letter to our Council Jan. 5, 1984, the President stated: "I agree with you that this nation is founded on the principle that each human life is sacred and inviolable. People with disabilities have an absolute right and responsibility to participate fully and equally in society and to maximize their quality of life potential in manners of their own choosing. . . . Disabled people should have access to the best quality of life that our free nation has to offer."

SANDRA SWIFT PARRINO
Chairperson
National Council on the Handicapped
Washington

Wall Street Journal - June 6, 1985

NATIONLINE

FROM USA TODAY'S NATIONAL NEWS NETWORK

Space ride asked for handicapped

WASHINGTON — A House subcommittee Thursday voted to ask NASA to include a physically handicapped person on a future space shuttle mission. Lack of gravity would allow them more mobility, the panel noted. Lex Frieden of the National Council on the Handicapped said the decision reflects a growing awareness that the handicapped "are a part of our society and should be included in every aspect." But Rep. Don Fuqua, D-Fla., has reservations, saying he opposes legislating who should be a shuttle passenger. He chairs the full Science and Technology Committee, which must give the final OK.

Jury wants Goetz Monday

By David H. Wells

GOETZ: Felt like trapped mouse

NEW YORK — A second grand jury investigating the shootings of four teen-agers on a subway train last December has accepted Bernhard Goetz's offer to testify. But the panel wants him Monday, not next Thursday as he requested. Goetz can refuse to appear Monday. Troy Canty, one of four teenagers shot, told the grand jury Thursday Goetz stared at him before he "methodically" opened fire, his lawyer said. In a taped confession played Thursday night on ABC's *20/20*, Goetz said he felt like a mouse trapped by a cat when the youths approached him.

Blacks back white member

JACKSON, Miss. — The Black Law Students Association at the University of Mississippi dropped affiliation with its regional and national groups after being disqualified from a court competition because one member is white. Members vowed not to rejoin until contest rules are changed. Sponsors of the Frederick Douglass Moot Court Competition held March 6 in Louisville, Ky., said the association's policy bans whites from the competition.

MIA next of kin notified

HONOLULU — The skeletal remains of five men — believed to U.S. servicemen killed during the Vietnam War — arrived Thursday for identification at Hickman Air Force Base. "We have some tentative Vietnamese identification and the next of kin have been told," said Air Force spokesman Lt. Col. Richard E. Stevenson.

A bloody n

S. African racism bri

By Karen De Witt
USA TODAY

A growing U.S. awareness of South Africa's racial policies was heightened Thursday by the killings of at least 17 black demonstrators there.

South African police in an armored truck Thursday opened fire on thousands of blacks in Uitenhage who defied a ban on demonstrations. At least 19 were wounded.

It was the worst such clash since the massacre of 69 blacks in Sharpeville, South Africa, exactly 25 years earlier.

"It gets so difficult to make a different comment on something that happe ly," said the lobby's David S killings. "We fin credible that Sou sponse to incre tional pressure is pression."

South Africa's cial disharmony protest here, hi demonstrations a rican Embassy and consulates ac

Thursday, the onstrations in D.C., San Franci Calif., and Chicag

Scott said 2,53 arrested in the U

Family reunit

This is no job for health-care neophyte

LET'S stipulate, for starters, that: Hillary Rodham Clinton is smart.

She has the president's ear and trust more than any other member of his new administration.

She has had more experience in politics and, indirectly, in government than any other first lady.

She is good at getting people to work together and knows how to head a commission.

Joan Beck

Bright women are far too few in important policy-making jobs and should not be denied opportunities because of their marital status.

The president probably feels he owes his wife big-time for subordinating her career to his political ambitions and for altering her persona to make him more electable.

Granted all that, it's still troublesome — and scary — that President Clinton has put his wife in charge of developing the national health-care plan and legislation he promised within the first 100 days of taking office.

However smart she may be, Hillary Clinton has had almost no experience in health-care planning or financing. The assignment is not one for amateurs.

Congress hasn't been able to agree on legislation it could enact. The last legislation it passed expanding health-care coverage had to be repealed because of angry public protests. None of the dozens of plans drafted by assorted think tanks, medical associations, industry groups, blue-ribbon commissions and political candidates has aroused much public support. There is no political, medical or economic consensus on what should be done.

The health-care plan President Clinton drew up to use in his campaign has been widely criticized. It is based on the contradictory theories of price controls with rigid government-imposed budgets on the one hand and "managed competition" between large groups of people on the other.

Health-care analysts say it is likely to result in de facto rationing of health care, higher taxes, especially for middle-class workers, more bureaucratic red tape, less personal choice in physicians and hospitals and deteriorating health services — all with little or no effect on relentlessly escalating costs.

Finding solutions to these concerns and developing a workable plan that won't create more problems than it will solve isn't a job for a health-care neophyte, however bright and close to the president.

Any other president would not have picked for this challenge the wife of the former governor of Arkansas, however skilled a lawyer, whatever law school she went to.

Of course there are deep and complicated problems with this country's health system. But three out of four Americans are satisfied with their own personal care, polls show.

Tens of millions of employees and their families with employer-provided health benefits now get what is probably the best health care in the world. How will the president persuade them to pay higher taxes for what may be less care with less personal choice and more red tape and hassle? Won't the pill be even harder to swallow if it comes from the new first lady?

Even more than her husband, Hillary Clinton apparently believes that government should be used to maneuver people around for their own good, as determined by well-meaning, activist politicians, and that government knows better how to spend the money workers earn than they do themselves.

But even a cursory look at the government's record shows how many unintended and adverse consequences can result from well-meaning attempts by the federal government to intervene in health care.

Both Medicare and Medicaid spending have wildly exceeded even the most pessimistic estimates over the years, and bureaucratic efforts to hold it down lead hospitals and physicians into complicated cost-shifting games that push other health-care bills relentlessly higher.

Does Hillary Clinton understand that government involvement can create more unintended problems than it solves?

No one is better at gaming the system and sliding out from under cost controls than health-care providers. No lobbyists in Washington (except for tobacco and gun interests) are more skilled and successful in protecting their turf than they are.

Bill Clinton's lavish inaugural contributions and some of his Cabinet and transition team appointments suggest that the Clintons will not be quick to shut the door on health-care special interests.

The first lady will have to find her way through a mine field of explosive problems.

At least 35 million people who now lack health insurance are expecting to be folded into the new system, but that could set off an increase in taxes or in the deficit. Employers want relief from the competitive burden of expensive health benefits, but the Clinton plan would push new costs on to small businesses that now create many of the new jobs.

The elderly are counting on the Clinton administration to provide long-term care, but Congress could never find a way to pay for it, and the demand, like the over-65 population, is growing rapidly and will surge if the care is free.

Medications are too expensive, but when available are usually the most cost-effective treatment; cutting drug-company profits may reduce the development of urgently needed new drugs. Efforts at price controls create shortages and rationing, as the experience of other countries shows.

All of us have a life-or-death interest in the nation's health-care system. It's unfortunate that Clinton could not have found some other challenging job for his wife.

Beck is a columnist for the Chicago Tribune.

TWIM BE WE

By A.B. Childress

Out of the past: More than 50 years ago Northwestern had a very fine basketball player named Ray Ballard.

I first met Mr. Ballard when I was a freshman at Northeastern at Tahlequah. He coached the varsity basketball team and taught phys ed classes. He excelled at both.

He hit some lean years in basketball and left Northeastern. He entered a medical school and earned an M.D. degree. For many years he was a highly successful doctor, practicing medicine in a city in the Pacific Northwest.

Several years ago I read that Dr. Ballard had died. It was only a small item in an Oklahoma newspaper, but I'm sure his home town paper had a good story about Dr. Ballard and his many accomplishments.

Are there any old-timers still living in Alva who remember Ray Ballard?

—O—

A more recent great Ranger athlete whom I knew quite well was Johnny "Booger Bear" Walker, who died when he was still a young man.

Johnny was a fabulous football player. I first became acquainted with him in the late 1940's. After being named an All-State end at Tulsa Central, he entered the U.S. Armed Forces during World War II. After his discharge he enrolled at Connors State College where he became an All-Conference end, and helped coach the wrestling team.

Upon completion of his junior college work Johnny transferred to Northwestern. Art Parkhurst, Walter Johnson, Dick Highfill, Woody Woodson and many others in this area will tell you that he was one of the best football players ever to wear a Ranger uniform.

When he graduated from Northwestern he entered the high school coaching ranks. He was successful at this, too. At the time of his death Johnny was football coach at one of the Oklahoma City high schools.

He entered a hospital for what was supposed to be rather routine surgery, but he just didn't make it. He left a wife and several children.

There's a picture of "Booger Bear" in the trophy case in the Foyer at Percefull Fieldhouse. Beside the picture is a beautiful story about Johnny, written by the late John Cronley, who was then sports editor of The Daily Oklahoman.

Cronley wrote a lot of nice things about Johnny Walker. He didn't exaggerate. He simply described Johnny as we all knew him - a great football player, a fine coach, a devoted family man, and a GENTLEMAN.

Only 30 years old when he died on May 22, 1957, Johnny was buried in the Alva Cemetery. He was a truly great Ranger.

—O—

I read the other day that the most frequently misspelled work in the English language is "question." My friend Joe Heaton can handle "question' all right. It's questionnaire" that gets him down.

—O—

A good friend of mine was sitting next to me in a cafe. Our plate lunches arrived at the same time. I went to work with the salt, pepper, etc., when suddenly he looked at my meal then made gagging sound.

"Sugar on THAT?" he growled.

Then it dawned on me. He was choking because I had poured a lot of sugar on my cottage cheese.

"I like it this way," I snarled.

After all, I didn't say anything to him when he took his fork and stirred up all his food till it looked like slumgullion, then poured half a bottle of ketchup over the whole gooey mess.

"Oh, well," as I always say, "tweech hizzone."

—O—

Last week, during a four-day period, I traveled 3620 miles. About 1000 of this was by air, and the rest of it I spent behind the steering wheel of my car.

My reason for all this travel: To get our son Vance back to Alva and put him in the hospital. Since his terrible injury in the fall of 1968, he has been in eight different hospitals in five different states.

I'm tired, but I'm glad to get him back home again.

—O—

I certainly appreciate that nice note from the Clarence Grays, who were kind enough to say they'd like to see this column in the A R-C every day instead of just once a week.

Lex — From Dr Spencer.

Wrong attitude, interpretation could sidetrack Disabled Americans Act

James J. Kilpatrick

OVER the next several years, able-bodied Americans will make a series of discoveries. They will discover that disabled Americans have the same basic rights that others have. In some instances this may come as a disagreeable shock; for some businesses, it will mean a significant expense. Sorry about that. Fair is fair. The newly effective Disabled Americans Act is a good law.

Even a good law may be badly interpreted. The success or failure of the act will depend upon three factors: the attitude of business, the attitude of the disabled and the common sense of courts. If these are positively applied, the benefits will be substantial.

The Disabled Americans Act is so sweeping that it cannot fairly be summarized in a paragraph or two. In general, it prohibits discrimination against the handicapped in the same way that the Civil Rights Act prohibits discrimination on the basis of race or sex.

Under the law, "disability" is defined as "a physical or mental impairment that substantially limits one or more of the major life activities of an individual." It now is unlawful for an employer or a business establishment to discriminate against persons so situated.

Note that adverb "substantially." Note the qualification of "major" life activities. The act is filled with words that will require interpretation — such words as reasonable, usable, impracticable, feasible, disproportionate. All these will ease the burden on business.

Courts may order structural changes, but not if these would work an "undue hardship" on the property owner. Such changes must be "readily achievable." They must be "easily accomplishable and able to be carried out without much difficulty or expense." What is "undue"? How much is "much"? The law applies to hirings, firings and promotions. What is an "essential" function of a job? What disabilities are prohibitively "job-related"? What criteria are "consistent with business necessity"? Given such a bundle of clear ambiguity and positive ambivalence, judges could get weary and lawyers could get rich.

But I hope not. Key provisions of the act became operative on Jan. 26. Many business owners reacted in shock. Some seemed never to have heard of the Disabled Americans Act. Regretfully, their first reaction was, "I can't do it," and, "This will cost too much."

Equally lamentable, the reaction of some activists for the disabled was, "We'll sue." One sorehead, trying to score points, instantly brought suit to gain access for wheelchairs at the topmost ledge of the Empire State Building.

Patience! Suppose we accentuate the positive. An estimated 1 million persons use wheelchairs. The law assures them "reasonable" access to places of public accommodation. This may mean installing ramps. No big deal. It will mean making curb cuts at sidewalks. No big deal. Could we lower some telephones so the disabled can get at them? Can do. Install grab bars in toilets? No problem.

It will not be an "undue hardship" for the owners of office buildings to see that elevator signals may be read by the blind. On the other hand, no judge is likely to compel the producers of *Our Town* to post an interpreter on stage to provide sign language for the deaf. This would "fundamentally alter" the nature of the performance.

The disabled community will have to exercise these new rights with the same constructive attitude urged upon the business community. At every step, the emphasis should be on finding ways to meet the compassionate aims of the law.

Many sections of the act will require a commonsensical approach. The law says, in effect, that motion picture theaters must provide the same accommodations for persons in wheelchairs that are provided for other patrons. Moviegoers in wheelchairs cannot be segregated off by themselves. Very well, but surely it would be unreasonable to require that every row in every theater be made 6 feet wide so that a wheelchair could get through.

In some instances the law authorizes "equivalent" accommodations. With good will, these problems can be worked out.

Depending upon experience, some parts of the law probably will have to be amended in time. It may be that the expense imposed upon establishments with only 15 employees will prove truly unbearable.

Meanwhile, let us not pick flaws before flaws are genuinely evident. Let's work on the good parts first.

Kilpatrick is a nationally syndicated columnist based in Washington, D.C.

our alumnus. Frieden, a quadriplegic, is past secretary of the American Coalition of Citizens with Disabilities and chairs the Government Relations Task Force for the organization. He is active in the Houston Coalition for Barrier Free Living as well as the Consumer Council of the National Rehabilitation Association. In relation to that activity, Frieden is presently developing a broad range of alternatives to institutional living arrangements for the physically disabled in Houston.

So much for the tip of the iceberg. Let's talk about the number of articles Frieden has written, the presentations he has made, or the consulting positions he has held. In the category of writing, Frieden's work has been published in various books, magazines and journals including *Rehabilitation Literature, American Rehabilitation* and *Volume One: Awareness Papers* from the White House Conference on Handicapped Individuals.

Moving along to the subject of presentations, Frieden has spoken at more than 20 national and statewide conventions since 1976. This list includes annual meetings of the American Congress of Rehabilitation Medicine, the American Psychological Association and the American Association for the Advancement of Science. Frieden's topics have ranged from consumer involvement in rehabilitation to planning legislative strategies relating to independent living by disabled people.

As a consultant, Frieden has offered his services to more than 30 local, state and national organizations since 1975. Prominent among these groups is the U.S. House of Representatives, the Departments of HEW and Housing and Urban Development, along with the National Science Foundation.

As for community service, Frieden's activities cover a variety of committees in several states. Members of The University of Tulsa community might be interested to know that, while here, Frieden was a charter member of the Wheelchair Independence Now organization in 1971. More recently, he served as cofounder of the Coalition of Texans with Disabilities.

Now that we know what has been accomplished by this year's distinguished alumnus, what does the future hold for Lex Frieden? According to his write-up in a recent issue of *Continuing Education News*, Frieden will be involved with fund-raising to support federally authorized Independent Living projects, designed to identify life-style options for disabled individuals.

By the way, another thing one does with a B.S. in psychology from The University of Tulsa is to become a Ph.D. candidate in social psychology. At least, that's the answer most acceptable to a prolific alumnus like Lex Frieden.

AN EDITORIAL COMMENT BY MAC BRODIE WHO READS THE NEWSPAPER TO
FIND THE ARTICLES TO GO INTO NCHS" NEWSLETTER.

WHILE SITTING HERE PONDERING HOW MY LIFE MIGHT BE DIFFERENT HAD THERE BEEN SOME DIFFERET CIRCUMSTANCE WHILE I WAS GROWING UP, SAY I"D HAD A BETTER EXAMPLE TO FOLLOW AS TO WHAT I SHOULD STRIVE TO BE OR HOW I SHOULD ACT IN DIFFERENT CIRCUMSTANCES, I HAVE OFTEN WONDERED WHAT I"D BE LIKE NOW HAD I HAD A MORE POSITIVE EXAMPLE TO FOLLOW ON WHAT A MAN SHOULD BE LIKE OR HOW HE SHOULD BEHAVE UNDER DIFFERENT CIRCUMSTANCES. I WONDER IF I WOULD HAVE MADE ANY DIFFERENT CHOICES THAN I DID IF MAYBE THE STIMULI WERE A LITTLE DIFFERENT DURING MY FORMATIVE YEARS? for instance what would i be doing today had I decided to go to college after graduating from high school instead of thinking that I'd get my milita miltary obligation out of the way and learn to suba dive to help me get into th eunderwater stuff I wanted to get into ie ichthology. For those of you who do not know what ichthiology is , it is the study of fish.

Instead of going to college after high school I joined the U.S. navy thinking that I could learn to suba dive and use all sorts of toher types of underwater equipment which would aid me in my quest to get into this feild of work. While in bootcamp I was tested for this underwater stuff only to find out that I could not swim well enough to qualify for the underwater training so I chose the medical corps as a second choice of an M.O.S. or mode of service for those of you who are not familiar with the milatry alphabet soup.

Anyway instead of going to college out of high school I thought I'd found a way around that by going into the miltary, getting the training to do what I wanted to do and getting paid for it while I was doing it and learning skills that would help me get into the field of work that I wanted to do after I'd gotten out of the military, it was almost like they were paying me to learn to do what I wanted to do for the rest of my life.

Anyway haveing failed the swimming test to get into the underwater training course I decided to try the Medical Corps as a second choice and was accepted to go to the corpschool in Sa San Diego, California where I'd met this girl who was to become my fiance. after dating her for almost a year I decided to ask the big question and was turned down so I decide I did not even want to be in the same city where she was sowhen the call went out around the hospital where I was stationed for volunteers to become field medical technitions, people who helped people as they were injured in battle, I volunteered as I di not want o be in the same city with my exfiance and not be able to be around her I decided to volunteer to be sent to the FMSS or Field Medical Se Service School to learn to help people as they were hurt in combat. After completing FMSS I was sent toVietnam to be a corpsman with the First Marine Divisions First Reconnassance Battalion. After serving almost my entire tour in Vietnam, I was wounded in such a way as to cause severe brain damage, I fractured my skull and bruised my brain and was subsequently evacuated back to U.S. where I was treated, rehabilitated as much as was possible and given a medical discharge from the armed forces with a permanent disablity, brain damage that resulted from the fractured skull which I had received because I'd collided with a tree head first Imagine if you can what it would be like to one minute to be walking along

and feeling a tug at your foot, pulling it free,

hearing an explosion, feeling your self being thrown through the air, looking up and seeing a tree coming at you and tryibg to dodge it then waking up several months later with severe brain damage, a slight left hemiplegia and an almost nonfunctional memory that you've got to learn to deal with after you find out that rehab programs do not exist for that type of disablity. Do you give up and become a vegatable or do you try to use the ablities that you have left. If you are like me youtry to use what you have left, to achieve the goals that you'd set for yourself a long time ago.

I still even today can not help but wonder where I'd be,what I'd be doing, would I have married the young lady I was dating in San Diego, would I have stayed in the Navy for twenty years and retired that way? Would I have married Terry if I had not gone to Vietnam when I did? But most of all I wonder if I'd be a little different now if I had not had the encounter I did in Vietnam? I suppose I'll never know what things would be like now had I made a few different choices along the way. Alas no use crying over s spilt milk, there's no changig what happened now, the only choice we have is to try to learn from our mistakes and to try to do better the next time the same set of stimuli arise. After all th that is where man has the advantage over the rest of the animals here on Earth is the ablity to be able to reason and to decide about what he should do based on all of the pertainant information that has been acumalated relatihg to any particuliar subject at a given time and or place.

I still can not help but wonder where I'd be today, what I'd be doing,would I have married Terry or would we have seperated as we did even though I did not go to Vietnam? All in all I',

am proud of the decisions that I made and would probably make the same choices again if I had the option of doing it all over with one small exception though, I'd finish school before going into the military because now I'll never have that option nor will I ever really have the ablity to compete normally again either.

At least I do have what most people have to work for a lifetime to get and I am still young enough to enjoy it if only I could remember what I was doing long enough to act on any of it or to benefit from the memories of everything that's gone on around me that if I were a normal person I'd have the benefit of those facts, thoughts and memorys too.

I'm still trying to decide if I'd really like to be any different than I am now, Imean after all how else could I be retired for twenty years have a very nice mometary pension with all of the medical needs I'll ever have being taken care of by some one else who is suposed to know what they are doing, deliver all of the medical services you will ever need to you fre free of charge, provide you with a nice sized pension or should I say compensation check for the ablity to take care of your self which you lost while serving your country faithfully and honorable even though you knew thAT THERE WAS THE CHANCE THAT WHAT DID HAPPEN TO YOU WOULD AND COULD HAPPEN TO AND THE POSSIBLITY THAT YOU COULD BE KILLED WAS THERE TOO. ALLIN ALL I FEEL PRETTY LUCKY TO EVEN BE ALIVE SO WHY SHOULD I COMPLAIN BECAUSE THINGS ARE NOT THE WAY THAT I'D LIKE THEM TO BE. AFTER ALL YOU DON'T
GET SOMETHING FOR NOTHING NOT EVEN FROM UNCLE SAMS
OF THIS WHOLE THING WITH MY LIFE AND TO BE HERE TO TALK ABOUT IT A