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Gabe Griffith, CCB President, Concord, CA
925-222-5762, president@ccbnet.org

Executive Office
California Council of the Blind
2143 Hurley Way Suite 102, Sacramento, CA 95825
916-441-2100 voice; 916-441-2188 fax; 1-800-
221-6359 Toll Free
Email: ccotb@ccbnet.org
Website: <http://ccbnet.org/>

Ardis Bazyn and Alice Turner, Co-Chairs

Governmental Affairs Committee
800-221-6359 Toll Free
governmentalaffairs@ccbnet.org

Webmaster
webmaster@ccbnet.org

Mike Keithley, Editor
650-714-5971
editor@ccbnet.org

Susan Glass, Associate Editor
408-257-1034
editor@ccbnet.org

Deb Runyan, proofing and large print production.

Andrea DeKlotz, CCB Happenings Editor
Email submissions for the CCB Happenings to:
submit.happenings@ccbnet.org.

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In accepting material for THE BLIND CALIFORNIAN, priority will be given to articles concerning the activities and policies of the California Council of the Blind and to the experiences and concerns of people who are blind or have low vision. Recommended length is 900 words, 1800 max.

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Non-members are requested and members are invited to pay a yearly subscription fee of \$10 toward the production and support of THE BLIND CALIFORNIAN.

Please send all address changes to the Executive Office.

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Editor's Corner

By Mike and King Keithley

Hello again,

I'm Mike's long-passed guide dog, and I like to comment on things master is doing, or not doing. But since I'm writing this, Mike is commenting on what I'm doing, or not, and I've got to react. That said, welcome to the Spring Blind Californian, with warm weather, sunny days and relaxing evenings, and tasty outings. Myself, running in parks is my pleasure and smelling the environment, which takes me to Deborah Armstrong's nice article on making your own scent garden. Of course, rosemary is always more interesting with the small addition of Elsa, but that's a dog thing, not yours, I'm sure!

New legislation sponsored by CCB is being developed, and you can read details in Jeff Thom's Governmental Affairs Report plus ACB's 2024 Legislative Imperatives. And you'll also want to

check out Paul Patche's article on how DOR is not supporting blind people. "Nor dog's either—imagine a dog writing a contract!" Inconceivable!

And there's poems, nuggets of wisdom and laughter. Enjoy!

"Well King, that's a rather lackluster column." Yeah, but I been dodging a cold and creativity is way down!

Governmental Affairs Report

By Jeff Thom

Before I focus on this month's report, I'd like to throw something out there for the future. When the deadline approaches for the BC, if you think you know of issues that should be included in this report that we may miss, feel free to contact me. I want our members to learn all they can about matters of importance to the organization, and will gladly accept any help you can provide.

First, after last year's unsuccessful attempt through AB1518 to require the Department of Consumer Affairs to compile information pertaining to the rights of service animal teams in places of public accommodation, CCB and the other entities involved with the bill, along with its author Assemblywoman Friedman were not able to agree on a strategy to go forward with a similar bill for this year. Although not the only reason, bills that have any cost factor to them can be rather difficult to pass under the current budget shortfall.

Secondly, the disability community and the business community, along with legislative staff, have been trying to work out the details on a very complex proposal on website issues. The impetus behind this effort has been to find a means of precluding what amount to frivolous claims by people with disabilities and a few unsavory attorneys, while protecting the rights of consumers to have websites that are truly accessible. This effort, pursuant to AB1757, has been in the works since early last year, and the talks to work out an array of issues are continuing. For CCB, the heavy lifting on this topic

has been in the capable hands of Steve Mendelsohn. It is interesting that this bill has garnered national attention from the blindness community. I am not going to attempt to mention all of the issues on which agreement is being worked out, but one of the major ones is the inclusion of provisions that would make website developers liable for producing inaccessible websites for those with whom they contract. Such liability can have a major and positive impact on the future of accessible website development not only for us, the consumers, but for government and private industry who contract for the services of these developers. The often-divergent interests of business and the disability community create uncertainty as to the success of this endeavor, but we remain hopeful.

I am pleased to report that CCB has two bills in the legislative hopper for action during 2024. The first of these is AB1902, authored by Assemblyman Juan Alanis of the Modesto area, which would require pharmacies to inform individuals who are blind, low vision or have other print disabilities, that an accessible prescription drug label is available. It

would further require pharmacies to make this label available to these individuals upon request and in a manner that is appropriate to the disability of the person making the request, as prescribed. Through the leadership of Assistant Governmental Affairs Director, Regina Brink, we are lining up a variety of groups in support of the bill. It is possible that opposition will surface and that the cost to the state of implementing the bill pursuant to the adoption of regulations will create fiscal issues, but we are working hard to pass it. Moreover, you can be sure that, even if we do not succeed this year, we will be back.

Our other bill is AB3193, authored by Assemblywoman Lisa Calderon from the southeastern part of Los Angeles County. This bill would seek to end the long-standing problems with assistive technology purchases by the Department of Rehabilitation being either made in an untimely manner or not being made in a manner that is appropriate to the needs of the client. It would achieve this goal by exempting most assistive technology-related purchases made by the

department from the rigid and unworkable regulatory structure of the Department of General Services. I believe there is real reason to hope this problem, which has been around for decades, may finally be addressed in a comprehensive way.

Stay tune on all of these issues. Your advocacy is always necessary to our success.

2024 ACB Legislative Imperatives

Below are the four ACB legislative imperatives for 2024:

Communications, Video, and Technology Accessibility Act Legislative Imperative

Background

The Twenty-First Century Communications and Video Accessibility Act (CVAA) guaranteed access for people with disabilities to advanced communications

services, telecommunications hardware and software, accessible video displays and user interfaces and digital apparatuses, and required the delivery of audio-described content. For more than ten years, ACB and its members have worked to implement and enforce the CVAA, and in several key aspects, we have reached the limits of what the CVAA is able to enforce through regulation.

More than a decade since the passage of the CVAA, not all people in the United States are able to receive audio-described content from their local broadcast television stations. Despite every broadcast network being required to support accessible emergency alerts, which use the same technology as audio description, only 90 of the 210 broadcast designated market areas are required to pass through audio-described content to consumers.

The Federal Communications Commission has maximized the amount of audio-described content it may require broadcasters and cable programmers to provide at 87.5 hours per quarter, or roughly one hour per day of audio-described content.

The CVAA was implemented prior to online streaming video becoming a routine part of video entertainment and everyday life. As a result, the CVAA audio description and accessible video user interface requirements only apply to broadcast and cable programming; video streaming applications are not required to be accessible to people who are blind, low vision, and Deafblind.

The CVAA implemented accessibility requirements for text and audio advanced communications services; however, video conferencing services, which are utilized for everything from school to work, telemedicine, and social and community gatherings, remain undefined and do not have corresponding accessibility requirements.

Improve and expand audio description standards for television programming and online video streaming platforms to ensure that people with disabilities have equitable access to the wide range of programming available to the general public;

Update current requirements to ensure viewers can

easily activate and select preferred settings for audio description on their video programming devices, such as televisions, smart phones, laptops, and tablets;

Require the Federal Communications Commission to ensure that all video conferencing services, including those used for telehealth, distance learning, and social and civic engagement, are accessible to people with disabilities, including people who are blind, low vision, and Deafblind; and,

Empower the FCC to ensure accessibility regulations keep pace with emerging technologies, including artificial intelligence and augmented or virtual reality platforms.

Call to Action

ACB urges the House and Senate to support and pass the Communications, Video, and Technology Accessibility Act to ensure that video entertainment and communications are accessible to everyone. When meeting with your member of Congress,

please share with them the difficulties that you have in locating and watching audio-described content on broadcast television, cable, and when streaming video content online. Please share with them what it would mean for you to have access to all video content with audio description, and what it would mean for you to be able to access audio-described content independently through accessible user interfaces for online video services. And finally, tell your members of Congress that the Federal Communications Commission must ensure accessible access to video conferencing services, as they have for text and audio advanced communications services. Tell your members of Congress that you want them to support and co-sponsor the Communications, Video, and Technology Accessibility Act (CVTA), once reintroduced in the 118th Congress.

Medical Device Nonvisual Accessibility Act Legislative Imperative

Background

The majority of home-use medical devices and outpatient equipment utilize digital display interfaces that are inaccessible to blind and low-vision users. Devices such as glucose monitors, blood pressure readers, and at-home chemotherapy treatments do not have any non-visual accessibility features like text to speech output, tactile markings, or audible tones built in. As a result, blind and visually impaired individuals cannot use them safely, making it difficult for these individuals to manage their health independently.

According to the Centers for Disease Control and Prevention, adults with vision loss are at a higher risk for further health complications and co-morbid conditions. Diabetes-related vision loss and old age are two of the leading causes of vision loss in the United States, both of which could lead to further health complications. It is therefore imperative that blind and low-vision individuals have access to the equipment and devices necessary to manage their health and prevent further health complications, and that the equipment and devices are accessible with speech output and tactile markings. The

COVID-19 pandemic has also underscored the need for accessible medical equipment and the need for blind and low-vision individuals to be able to manage their health and wellness safely and independently, especially during a public health emergency.

On March 1, 2023, Rep. Jan Schakowsky (D-IL) introduced the Medical Device Nonvisual Accessibility Act (H.R. 1328) in the House of Representatives. The goal of this act is to make home use medical equipment and devices accessible to blind and visually impaired individuals in the United States. If passed, this legislation would amend the federal Food, Drug, and Cosmetic Act to establish non-visual accessibility standards for Class II and III devices with digital interfaces. Class II and III devices include devices that are more invasive and involve a higher risk of injury or death, so it is much more important that these devices are used safely and as directed. The FDA would, in consultation with the U.S. Access Board, set regulations and a final rule according to those standards. The passage of this legislation would

make it easier for people who are blind and low vision to manage their health safely and independently by ensuring that product manufacturers incorporate accessible design in the beginning stages of development for home use medical devices. This bill has 53 co-sponsors and is bipartisan with 4 Republicans and 49 Democrats. On January 18, 2024, a bipartisan Senate companion bill (S. 3621) was introduced by Senators Maggie Hassan (D-NH) and Mike Braun (R-IN).

Call to Action

ACB calls on Congress to support and pass the Medical Device Nonvisual Accessibility Act in the House of Representatives and Senate. When speaking with your member of Congress, be sure to describe the challenges you have faced while using inaccessible home-use medical devices such as heart rate monitors, glucose monitors, pulse oximeters, blood pressure readers, insulin pumps, etc., and explain to them what having access to these devices would mean to you, especially when it comes to

managing your health and well-being, both privately and independently.

The Medicare and Medicaid Dental, Vision, and Hearing Benefits Act

Background

In 2008, The Centers for Medicare and Medicaid Services (CMS) adopted regulations prohibiting Medicare and Medicaid coverage of eyeglasses and any device that uses lenses. The regulation, known as the Eyeglass Exclusion, also prohibited coverage of devices designed to aid individuals with low vision, including handheld magnifiers, video magnifiers, and other devices necessary to enable such individuals to access and interpret visual and written information. These devices are vital to enhance independence and improve quality of life for individuals with low vision. Devices designed to magnify and improve the readability of text enable low-vision individuals to access information found on prescription medicine bottles, street and building

signage, and other safety and security information. Access to low-vision devices is thus a crucial component of maintaining one's mental and physical health.

Low-vision devices can often be out of reach for many individuals with Medicare or Medicaid benefits due to cost. Such devices are vital to maintaining health and avoiding complications resulting from mismanaged health and sedentary lifestyles. (These devices often mean the difference between remaining in one's own home or community and being placed or remaining in an institutionalized setting.)

If people with low vision are unable to access valuable information relating to medication or feel unsafe going out and participating in their communities due to not having the right tools, then their mental and physical health will suffer. It is time for CMS to rescind the detrimental low-vision device exclusion and start providing coverage for low-vision devices like magnifiers and other devices that enhance color contrast and lighting conditions.

Such devices are necessary to improve quality of life for low-vision individuals and allow them to remain in their community.

Call to Action

On March 16, 2023, Sen. Bob Casey (D-PA) introduced the Medicare and Medicaid Dental, Vision, and Hearing Benefits Act (S. 842) to enable CMS, under the Medicare program, to cover routine vision care, including low-vision devices prescribed by a doctor and which would permit a state to cover these devices under its Medicaid program. Rep. Lloyd Doggett (D-TX) introduced a similar bill that does not include Medicaid coverage for low vision devices (H.R. 33) on January 9, 2023.

ACB calls on Congress to pass the Medicare and Medicaid Dental, Vision, and Hearing Benefits Act. When meeting with your member of Congress, be sure to tell them what having access to visual and textual information with the proper tools and devices, especially if you have low vision or live with individuals who do, would mean for you, and explain

what barriers exist that impede your ability to manage your health safely and independently.

The Websites and Software Applications Accessibility Act

Background

Access to websites, applications and online services impacts most aspects of everyday life, and the COVID-19 pandemic has made digital inclusion more important than ever. However, the Department of Justice has not finalized enforcement standards that clearly state websites, applications, and online services must be accessible to people who are blind, low vision, and Deafblind. As a result, people who are blind, low vision, and Deafblind face countless barriers when accessing workplace portals, educational platforms, healthcare and public health information, transportation services, shopping, and entertainment over the Internet.

There is a need for clear guidance to the

Department of Justice to finalize and implement enforceable online information access standards. These standards must include a strong functional definition of accessibility and should not require any person to exhaust administrative processes or notify website and application owners and operators that their online services are violating the rights of people with disabilities.

On September 28, 2023, Sen. Tammy Duckworth (D-IL) introduced The Websites and Software Applications Accessibility Act (S. 2984) in the Senate. Rep. John Sarbanes (D-MD) and Rep. Pete Sessions (R-TX) introduced a House companion bill, H.R. 5813. This bill would establish clear and enforceable accessibility standards for websites and software applications. The bill uses a functional definition of accessibility, ensuring that any regulations created after this bill is passed and signed into law remain evergreen and up to date with new and emerging technology. The Websites and Software Applications Accessibility Act would clarify that it is unlawful for the entities currently covered by the ADA to maintain inaccessible

websites and applications that exclude or otherwise discriminate against people with disabilities. It would establish a clear, enforceable accessibility standard, and establish a technical assistance center and advisory committee to provide advice and guidance on accessible websites and applications. It would also authorize a study on addressing emerging technologies. The bill is bipartisan in the House of Representatives.

Call to Action

ACB calls on Congress to support and pass The Websites and Software Applications Accessibility Act in the 118th Congress in both the House of Representatives and in the Senate. When speaking with your Member of Congress, either in person or virtually, be sure to describe your experiences using inaccessible websites and applications in your daily life, and what having access to fully accessible websites and applications would mean for you.

California Doesn't Support Blind Vendors **By Paul Patche**

First, I want to make it perfectly clear that this is my experience and these are my thoughts and feelings from this incident. This is the only way this story should be construed.

It's imperative that I provide a bit of background information so that everyone can understand. If you're unfamiliar with the topic I am going to cover, this story may not make a lot of sense.

I am known as a Business Enterprises Program (BEP) vendor here in the state of California. BEP was established under the federal Randolph Sheppard Act (RSA) of 1936 and signed into law by President Franklin D. Roosevelt. The RSA was established to provide legally blind individuals with the opportunity to become self-sufficient entrepreneurs by granting them first priority in any state or federal agency. Or in cases where the

contract must be bid on, the RSA provides priority by allowing RSA Vendors to bid a slightly higher price and have it reduced by the act to put it into a competitive range. This is because RSA vendors sometimes incur higher expenses when it comes to things like accessible technology and other work-related equipment. The story I'm about to tell you is about a contract on which we had to place a bid with the United States Marine Corps.

In 2017, the United States Marine Corps issued a request for proposal for their western regional contract and eastern regional contract. Two states spearheaded the process of placing a bid for the BEP Vendors. The eastern regional contract was spearheaded by South Carolina and their vendors. The western regional contract was spearheaded by the state of California and the Business Enterprises Program here in this state. I interviewed for the chance to put the proposal in and take over these contracts in California. I was selected as one of five vendors here in California to team up to secure the United States Marine Corps mess halls or (cafeterias) contracts. For the first year of working

together in collaboration with the team of vendors and the California Department of Rehabilitation, we submitted what we felt was a strong proposal. So, in September 2018, when we learned that our proposal was rejected on the very first day of consideration, without following the proper procedure, we were, needless to say, surprised. The excuses we were given for our proposal being rejected were arbitrary reasons, such as not mentioning hot dog buns on our menu when we said we were going to serve hot dogs, or we forgot to include a comma in one sentence. Things like that would not have an overall impact on a contract this size. When questioning the federal government, we learned that they failed to follow the required process when taking our RSA priority into consideration. This is clearly a violation of the RSA. The federal government claimed that they weren't beholden to the RSA act. However, this assertion has been proven in many court cases to be false: They are required to take the RSA priority into consideration.

Upon learning about the federal government's

violation of RSA, the team of five vendors, including myself, requested that the Department of Rehabilitation file arbitration against the United States Marine Corps for violating the RSA priority. The California Department of Rehabilitation would later choose not to support the vendors and protect the RSA priority. Because of a loophole in the governing code of regulations, it says that the state may file arbitration, but is not required to, and so the California DOR's main argument to the case was that they were not required to file arbitration even if our rights were violated. I should also mention that when we first started going after the contract, we were required to sign a document, making the California DOR the primary bidder on the contract. This means that DOR and only DOR, is allowed to take action against the United States Marine Corps. So, as an individual, I lost the ability to protect my own rights because of the California DOR's document.

When the California Department of Rehabilitation decided not to support the blind vendors, they took away all of our options to protect our rights and to

defend ourselves against discrimination.

Nevertheless, the vendors and I only had one option left to us. We would have to file a full evidentiary hearing against the Department of Rehabilitation, and have the matter decided by an administrative law judge of the state. The case was put on hold for a while during the pandemic, but it was finally heard in front of the administrative law judge.

The vendors' hearing against the Department of Rehabilitation ultimately did not come out the way we had wished. The law judge is employed by the state of California, and therefore usually will agree with the state of California's agencies and not the individuals opposing the state. But even in the judge's decision, he conceded that our rights as RSA vendors were probably violated by the federal government. However, he was not going to force the state of California to protect our rights and so we ended up in a position where we have no action left that we can take to defend ourselves from discrimination. Apparently, according to the state of California, it's OK that blind people are discriminated against as long as they don't have to

defend us or protect us from discrimination. As long as they choose to, they will walk away from truly supporting the disabled while continuing to say that they have our best interest at heart.

It's sad to think that every day at work, I not only represent myself but the state of California and the Department of Rehabilitation as one of their vendors. But when the fight gets tough, California simply chooses not to represent me. It's a sad world we live in when those that are supposed to protect our rights choose to ignore them because it does not affect them. I have fought every day since 2018 trying to resolve this discrimination issue, and as of today, I've hit a wall, of there's nowhere left to go. So that's why I'm telling this story: California vendors need to be heard. Let readers judge for themselves whether the California Department of Rehabilitation and the Federal Government contractor acted fairly.

I have always had hope of improving the BEP program here in California because I've always thought it was a beneficial thing for legally blind

people. However, nowadays, I have to admit that my faith and belief in their system were misplaced, and I can't trust them to protect me anymore. Having the state refuse to support me just shows me how much disabled people can truly be overlooked and undervalued in this world when we can't even get the people who are supposed to protect us to do that. Not that we don't try, but because people who don't understand disabilities can't even truly see the issue from our perspective.

Paul Patche II

President, Randolph Shepperd Vendors of California

(916) 662-0861

paulpatche@gmail.com

Captured

By Jennifer Gass

Take a lesson folks from me:
don't take shortcuts when you can't see.
It is, at least, exasperating
and can also be humiliating.
A snapshot captures what it's like: late for the bus,
my panic spiked.
Not wanting to wait extra hours
I thought I'd use exploring powers.
I left my doctor west of West Lane,
checked watch, and stressed out my poor brain.
Striding fast, white cane in hand,
I set out to catch the bus as planned.
The normal path would take too long; stick to it,
and the bus would be gone.
I heard big traffic to my side; next driveway,
shortcut, would provide!
I trotted on towards the sidewalk goal.
so close... then my cane struck a pole.
Traffic now only feet away,

a chain-link fence keeping me at bay.

No! I couldn't be trapped here. Surely an opening would appear.

I felt my way along its length and squeezed through opening secured with chain.

Free! I pushed on towards the street, sadly, another fence to meet.

Feeling no escape to be found I finally heard a human sound.

"Hello?" I asked.

Spanish reply.

"To West Lane?" (pointing) I asked the guy.

Prompted: "Where am I?"

Laughing, he choked: "In where they keep the animals."

"Can you help me out?" asked of new friend. He guided me out from the pen.

My cheeks burned redder than a cherry; captured by West Lane Veterinary!

Returned to my familiar route, late and embarrassed, now, to boot.

Needless to say, I made next bus. Waiting was not worth all that fuss!

17 Ways to Inspire Everyone Around You By Jennifer Orechwa

Source:

<https://tinyurl.com/17-Ways-to-Inspire>

Here are a few ideas to get you started with inspiring everyone around you:

1. Be authentic and true to yourself. In this crazy world that's trying to make you like everyone else, find the courage to keep being your awesome self. Embrace that individual inside you that has ideas, strengths, and beauty like no one else. Be the person you know yourself to be—the best version of you—on your terms. Above all, be true to YOU, and if you cannot put your heart into it, take yourself out of it. No, it won't always be easy; the only challenge greater than learning to walk a mile in someone else's shoes is learning to walk a lifetime, comfortably on your own.

2. Stick with what you love. Take part in something you believe in. This could be anything. Some people take an active role in their company, join social clubs supporting causes they believe in, and others find passion in their work. In each case, the psychological outcome is the same. They engage themselves in something they strongly believe in. This engagement brings happiness and meaning into their lives. It's hard not to be inspired by someone who's passionate about what they're doing.

3. Express your enthusiasm. Passion is something you must be willing to express if you want to inspire others. You can gain a lot of influence just by publicly expressing that you are excited and passionate about a topic. Expressive passion is contagious because of the curiosity it stirs in others. You'll get people wondering why you love what you love so much.

4. Excel at what you do. People watch what you do more than they listen to what you say. Be someone worth emulating. Most people are inspired by GREAT leaders, musicians, writers, painters,

speakers, entrepreneurs, engineers, mothers, fathers, athletes, etc. There's only one thing they all have in common: They excel at what they do. There's no point in doing something if you aren't going to do it right.

5. Focus on building your character. Be more concerned with your character than your reputation. Your character is what you really are, while your reputation is merely what others temporarily think you are. A genuinely good character always shines and inspires in the long run.

6. Care about people. People don't care about how much you know until they know how much you care.

7. Challenge people to do their best. As Ralph Waldo Emerson once said, "Our chief want is someone who will inspire us to be what we know we could be." If people know we expect great things from them, they will often go to great lengths to live up to our expectations.

8. Lead by example. Practice what you preach or don't preach at all. Walk the talk! Be the change you want to see in the world. If you really want to inspire others to do something, then this 'something' should be a big part of your life. You don't necessarily need to be an expert at it, but you do need to be passionately involved.

9. Articulate what everyone else is thinking. We are very connected to each other in various ways, the most important of which is our thoughts. Out of fear, worry or shyness, lots of people hesitate to articulate their thoughts. If you take the risk and say the things others are holding back, you become the glue that brings people together.

10. Make people feel good about themselves. People will rarely remember what you did, but they will always remember how you made them feel. Start noticing what you like about others and tell them. Go out of your way to personally acknowledge and complement the people who have gone out of their way to excel.

11. Help people heal. Instead of judging people by their past, stand by them and help repair their future. In life, you get what you put in. When you make a positive impact on someone else's life, you also make a positive impact in your own life. Do something that's greater than you—something that helps someone else to be happy or to suffer less. Everyone values the gift of unexpected assistance and those who supply it.

12. Share lessons from your successes and failures. When you can, be a resource to those around you. If you have access to essential information, don't hoard it, share it openly. You have more to share than you realize. Mine the rich experiences of your life and share your wisdom from your unique point of view. Be vulnerable. Be willing to share your failures as well as your successes. Others will relate to you. They'll understand that they're not the only ones with challenges.

13. Keep your cool in tense situations. What you do in a tense situation says a lot about your limits. People take note of how far the pressure or social

discomfort around them goes until they lose control of themselves and the situation. Keeping your cool in tense situations lets people know you have a mind of steel—a personality trait most people are drawn to.

14. Focus on the positive. Be happy with who you are now, and let your positivity inspire your journey into tomorrow. Everything that happens in life is neither good nor bad. It just depends on your perspective. And no matter how it turns out, it always ends up just the way it should. Either you succeed or you learn something. So, stay positive, appreciate the pleasant outcomes, and learn from the rest. Your positivity will help encourage those around you.

15. Keep your promises and tell the truth. Inspire people with your dependability and commitment to the truth. If you say you're going to do something, **DO IT!** If you say you're going to be somewhere, **BE THERE!** If you say you feel something, **MEAN IT!** If you can't, won't, and don't, then **DON'T LIE.** It's always better to tell people the truth up front.

16. Listen intently to what others say. Make people feel important, and inspire them by showing them that they are. Eyes focused, ears tuned, mobile phone off. In a world that can't move fast enough, someone who can find time to listen to others is always appreciated.

17. Communicate clearly. Mystery does not inspire. Say what you mean and mean what you say. Share your vision and ideas often with those around you. Also, be sure to maintain eye contact when communicating. When executed properly, eye contact injects closeness into human interaction, which captivates attention.

In the end, everything you need to inspire everyone around you is contained within you. So, get out there and start inspiring people with who you are and how you live your life.

From Here to There, and Back Again: Insuring Equitable and Accessible Public Transit for Everyone By Daveed Mandell

Introduction

Recently, I ran across a troubling request on my Synagogue's email list. A woman, who can no longer drive at night, wanted desperately to participate in a weekly grief support group. She asked if someone could give her rides there and back home.

That request must have been very difficult for her to make. After all, until then, she took for granted the freedom that her car had always given her to come and go when and where she wished.

Suddenly, she had to face the cold, hard, shattering reality that she no longer had freedom of movement at night. Suddenly, she discovered that she would have to depend on others to get from here to there, and back again. Sooner or later, possibly losing

more vision, spontaneity for her might become merely a distant treasured memory.

The Problem: Little Freedom and No Equity

Losing our freedom. That's something we people with disabilities have never seriously contemplated. Freedom to come and go as we wish. Freedom to actively participate in our communities. Freedom to live our lives to the fullest without being controlled by the many agencies that are supposedly charged with protecting and upholding our civil and human rights.

But wait a minute! These days, there's lots of talk about equity, whatever that elusive concept is! What is equity? Who deserves it? How are we supposed to achieve it? Does equity mean that, in the name of fairness, everyone should have all of their basic needs met? What are these basic needs? Is society moving closer to an equitable future for everyone?

I submit that the answer in many cases is a

resounding “No!” Too many agencies still control our lives, make unsolicited and unwarranted decisions for us that have serious negative consequences, and refuse to hire people with disabilities who have the necessary lived experience and know firsthand what it’s like to live in a largely inaccessible world.

Most people get in their cars, or on their bicycles, without thinking about it. Many people take buses, trains, subways and light rail for granted. They all wake up in the morning and take their vehicles of choice. Why can’t we people with disabilities easily, effortlessly and efficiently do the same?

Why are we allowing ourselves to be kept down and out, segregated and ghettoized, in a completely inequitable and discriminatory system that blatantly violates our civil and human rights? What happened to our strength and resolve to determine our own destinies? What must we do to stimulate and initiate a significant sea change in the disability community and the disability rights movement? How can we rid ourselves of the disregard, disrespect and, yes, even disdain that we too often

face by those who routinely control our lives?

The Solution: Plan Our Case and Demand What Is Rightly Ours

If all organizations within the disability community work together, we can and will achieve freedom, equity and accessibility. How can this be accomplished?

Collecting Data

The first thing we must do is reach out to people with disabilities, collect data, conduct surveys and hold community forums. This might include sharing personal stories about engaging with public transit. Do people routinely ride public transit? Is it accessible for them? If not, what prevents them from riding public transit? How should public transit be improved?

Conducting Accessibility Best Practices Research

It is vital for us to conduct research on accessibility

best practices in this country and abroad. How are other countries achieving public transit accessibility? Are they closer than we are to achieving equity? What can we learn from other countries' successes regarding accessibility? Can we do even better?

Creating an Accessibility Platform

Based on our research, we must begin to create what I call an accessibility platform. Working together, we must prepare a detailed outline of specific fundamental accessibility principles and requirements that all public transit agencies must accept. This work would lead to the development and promulgation of accessibility standards that they must adopt and strictly adhere to without exception.

Creating an accessibility platform will involve intense collaboration, discussion and preparation. It will require us to hold listening sessions, seriously consider accessibility for the many disabilities represented, and make a concerted effort to reach consensus. As we do this important work, we must

carefully and concretely plan and present our expectations and demands. We must make it very clear to public transit agencies that only we people with disabilities have the right to determine accessibility principles, and that they must do our bidding. Only then will we truly achieve the freedom and equity that everyone deserves.

Definitely Worth the Experience: Doing Mobility in Michigan

By Maureen Scafe

I was listening one day during ACB convention, to a presentation on guide dog schools, and it included one in Rochester Hills, Michigan. They mentioned that, in addition to guide dog training, they offered a week-long cane skills/mobility program, and I decided that, coming out of the pandemic-imposed isolation, a brush-up of travel skills could be great. And while I was doing that, perhaps I could work on getting better at crossing streets, spatial awareness, etc. And it might be fun doing it in a state I'd never

been to. The school is entirely funded by donations, so there were no expenses involved on my part. Their application process was some work, though, and I don't blame them wanting to make sure that they get students who will benefit from the program.

Six references were required, also a video to show your mobility skills, and how you walk normally, speed etc. And we discovered that my sweetie Mike Gorman, could easily have a career change opportunity as a videographer. He made a video of me that they described as "absolutely perfect." So, thanks to a lot of good folks at the East Bay Center for the Blind here in Berkeley, I got the references together, and off I went, on a Sunday, on my five-hour flight to Detroit. The climate there, like in Germany where I grew up: definitely hot, and definitely not dry heat, lots of lightning and thunder off and on, will it rain, will it not, one hurricane (to them it's like an earthquake is for us), major traffic problems, trees down, and not every teacher, including mine, able to make it to work that day... But no harm done. We did both a Juno walk and a

dog walk that day, and I just worked with a different teacher. That dog walk was interesting, it felt very jerky, and not getting input from the cane about exactly what's in front of you, very, very different... All the other days were spent with walks and crossing smallish and definitely also medium difficult streets, with lessons building on each other. I definitely felt comfortable with my teacher, (thank goodness it wasn't a go-getter type,) which tends to make me totally nervous. We did some map work also, of the routes we'd just walked, that I found useful.

It was nice to have detailed feedback on what I was doing. It was nice to relax into it a bit: I learn better that way. In Germany where I grew up, my experience was that "the bar" might have been higher yes, but I spent much more time being nervous, than actually learning. I find that, coming out of this program, I feel more relaxed again, more like pre-pandemic, and that feels good. I listen more carefully to traffic, I know more about the difference between an intersection with a light and without, I cross the streets that I can cross, more

relaxed, and may try some slightly harder ones. In no way was this a waste of time.

On the whole, the schedules and routines were completely organized; what students were working on, we were a group of four—was completely individual. And, fascinating to see for instance, one person who, newly blind and never had any blindness skills, learning things like pouring into a glass (they didn't officially do living skills but....); wow, he impressed me how he "came out of his shell." For recreation, they had anything you might want media wise, the A lady right there in the room, fantastic exercise machines, labeled and all, and foodwise, my God, they spoil you a bit. I'll finish with the menu for just one day, and thank you, Leader Dogs for the Blind, for a great week:

Tuesday 08-22-23 Breakfast:

French Toast, Sausage, Fruit, Grape Juice.

Lunch: BBQ Pork Sandwich, Apple Nut Salad, Cookies & Fruit.

Dinner: Salmon, Garlic Butter Noodles, Zucchini, Pie for dessert...

Make Your Own Fragrance Garden **By Deborah Armstrong**

Many groups offering services for us have scented gardens. The two California regional libraries for NLS come to mind. But you don't have to travel to get a garden full of wonderful smells. And you don't even need to get your knees dirty or your shoulders sore from digging.

First, grab some large planters. These days you can buy clay, plastic or wood. Home Depot, Lowes and many Walmart, Target and hardware stores have huge selections. If you have trouble bending, grab a few bricks too so they will sit at a comfortable height. Because I don't drive, I've never bought concrete planters, but instead find lightweight plastic the easiest to transport. Clay is heavy and dries out quickly but is more attractive than plastic. Wood rots eventually but is also lovely.

When I was a student on fixed income, I had other

solutions. I went to salvage places and picked up discarded chimney flues. With our earthquakes, Californians lose chimneys and they end up in salvage. I also found old dresser drawers from fall-apart chests of drawers I bought at the thrift store made great planters. Wooden orange crates, lined with plastic trash bags work well too. If you are on fixed income, scout your local thrift stores to see what you can use for planters. For small plants you can use old boots, cut-down beverage containers or even dishes or pots with cracks in them. But many plants with fragrance love to grow, so be ready to either prune or have a bigger container available.

Next you need soil. Commercial potting soil has improved over the years, so disregard the advice from older gardening books that suggest not using it. If it tends to clump, you can mix in a little sand or perlite. If it doesn't appear to hold water and drains quickly, add a little vermiculite. Peat moss is also great for enriching any soil. Gardening books are filled with formulas using these substances, but experimenting is the best way to learn. Hardware and garden centers sell peat moss, vermiculite and

perlite, so try a few small bags first. Potting soil, on the other hand should be bought in the largest quantity you can handle as the smaller bags often cost much, much more.

One thing you don't want to use is ordinary dirt. In California, our soil is either full of clay or sand and it either drains too quickly or too slowly and it's always much too heavy for a container. Plants in a container will generally die if placed in ordinary dirt. This is because the roots need to grow downward and out freely and most plants bred to create fragrance simply need good soil. Weeds, on the other hand do not, which is why they grow perfectly fine in the ground! Our fragrant plants need babying, whereas weeds evolved to grow even when we do not want them.

Most containers have drainage holes, but if they don't, punch in a few with a nail or other sharp instrument. Then cover the inside of the bottom of the pot with either a piece of screen or weed block, sometimes called landscape fabric. I have a huge roll of weed block, and I simply slice off a hunk and

stuff it in each pot before I fill with soil. This way I don't lose any soil when the water drains.

So now that your containers are filled with good potting soil, you need some plants. Herbs are the easiest to grow and can also be picked up in tiny pots at the garden center. Thyme, Sage, Basil, Marjoram, Oregano, Rosemary, Parsley and Dill will all grow well in containers. Dill, Rosemary and Oregano will get big fast though. Parsley hasn't got any real scent but tastes great.

Herbs need less water than many other plants, so do water regularly but only when the soil is just a little wet. If there are puddles, the plants have too much water. Of course, if the puddles drain immediately, that's good. When you stick your finger in among the roots, the soil should feel damp but never soggy.

Herbs also don't benefit from fertilizer. They actually put out more oil in their leaves if they are in a less nutritious environment.

Herbs do need a lot of sun. Though people often grow them on a windowsill, they will do much better outside the kitchen door. Mint, Chervil and Wintergreen are really the only herbs which do OK in the shade.

And speaking of mint, it can take over your container or entire garden if it's not planted in a container that will restrict it from spreading. I once lined my driveway with chimney flues, which are tall round ceramic containers open at both ends, and mint planted inside. The roots grew three feet deep down to the concrete of the driveway, but didn't escape to invade my yard. Mint is the exception in another way: it always loves water and can never get enough.

As your herbs grow, you'll want to keep your scissors handy. The most fragrant parts are the young stems and leaves. Encouraging the plant to grow new leaves happens when you regularly trim the plant. Many herbs want to grow long spindly stems if left to their own devices, so keep trimming off parts of the plant growing towards the sky so it

will branch out more. Also rotate the pots so the sun comes at them from different directions.

The advantage of herbs is they are fragrant all year long and will spice up your cooking as well. Basil leaves on tuna sandwiches are scrumptious and even if you don't cook, sprinkling fresh herbs on canned soup or a TV dinner can add unexpected flavor. The disadvantage is that their fragrance is not as strong as are Roses, or bulbs like Hyacinth, Easter Lillies or Daffodils.

Bulbs are most often bought in Fall, and can be planted then, but will probably not come up and begin to bloom until Spring. My favorites are Fresias, Mexican Tuberose and Amaryllis. There are several varieties of the Amaryllis; the "Naked Lady" variety is especially drought-tolerant, while the varieties you often see blooming at Christmas time may take five or more years to bloom again. People love Tulips, but many places in California do not get cold enough to force tulips to bloom, which need a month of deep freeze to decide they want to give you flowers.

And many bulbs will stubbornly refuse to bloom at first, putting up large green straps of foliage which are actually leaves that gather energy from the sun to store in the bulb. Small bulbs bought on discount will likely take a year or two of leafing out before they decide to make fragrant flowers.

Once the flowers dry out, the bulb is said to have gone dormant. If you dig up the bulbs and store them in a paper sack somewhere dark and cold, they will be able to bloom again, after you replant them and they gather more energy through growing more leaves next year. They do however need the paper sack and not a plastic bag, because they need to breathe, are still alive and just hibernating. If you end up with tulips, store them in your freezer over the winter.

Bulbs for forcing are larger and have already gathered enough energy they can bloom pretty quickly. People often force blooms indoors, and it's easy to find instructions on how to go about it. But because some commercial grower raised them first for a year or two, they're always the most expensive

bulbs you can buy.

Be aware of all the online vendors who sell supposedly fragrant bulbs that turn out to be anything but. You're better off buying bulbs from a nursery where a real human can help you select a guaranteed fragrant variety. Or, buy some already blooming bulbs from a florist and save the bulbs once they go dormant to bloom again. I often ask for mixed fragrant blooming bulbs for my birthday: arrangements which can cost a lot up front but will give me scent for many years.

There are also many fragrant perennials which will grow year after year, often becoming enormous shrubs not suitable for containers. My favorite here is the Daphne, which is a bit challenging to grow, but I also love Brugmansia (often called trumpet flower or angel's trumpet) and the orange-scented Osmanthus. Some shrubs like the Night-Scented Jasmine can be found cloying by some, and Jasmine itself is an entire category of different shrubs. Here I must say that if you get serious, learning the Latin names for plants you love will help ensure you

select the same thing again.

If you want to stick with containers and try some inexpensive annual flowers—they'll only last for one summer, check out Marigold, Heliotrope and evening scented stock. All grow quickly from seed and can be planted as soon as there's little or no frost. There are many supposedly fragrant wild flower mixes sold on the internet that contain just a few of these seeds so it's better to buy them separately for the best garden scent. For me, another favorite for containers are the many fragrances of scented Geraniums. The leaves of these little plants can smell like vanilla, mint, chocolate, butterscotch, cherry pie, lemon, rose and so many other flavors. As you water or brush past them, their leaves release the scent and because they grow slowly, they are perfect for containers. Blooming geraniums however are not usually considered fragrant, so be sure and buy specifically the scented varieties which have tiny, unimpressive flowers. These are sold on the internet, often bare root, but unlike fragrant bulbs, you can be fairly sure you'll get something scented when you purchase them online.

If you'd like to grow Roses, you need large planters as the varieties bred to stay small are not fragrant. My favorite is called "Mr. Lincoln" but you should check with someone who knows roses to get those that have actual scent. Roses have been bred to produce prolific colorful blooms, and it's those heirloom varieties not bred for the flower market that are the most fragrant. As a blind person, you'll want to purchase some thin lambskin gloves which reach up to your elbows to work with roses, but you'll be able to safely touch, water and prune them with your gloves. And you don't need to be an expert to prune. When it's winter, simply hack away with your shears and if they are healthy and got watered regularly, they will spring back and bloom lush and tall next summer.

If you try to buy plants on the internet, you'll find many companies will not ship to California. That's because our regulations about importing live plants are strict. Look for local garden centers or California growers. Seeds, however are easy to buy online, cost less but require more skill to successfully grow. Being cheap though, you can always experiment

more with seeds.

I've grown fragrant plants for four decades and read many books about the hobby. It continues to be fun. Making my own garden is so much more rewarding than traveling to sniff the puny attempts I often observe by do-gooders who want to enrich the lives of the blind.

Most Embarrassing Moment **By Jennifer Gass**

A child of bad divorce since 10,
I had my share of frustration.
Vision problems, teenage angst,
My dad's Wednesday visitations.
Each Hump Day was disrupted
Grilling us about our mother.
What could be gleaned to cry neglect,
Abuse, about each other.
The highlight of this poisoned time
Was Pizza Factory dinner.

Loads of pepperoni, cheese,
Some happiness, delivered.
Overdose on soda urged me,
Quickly, to the ladies' stall.
The following, I'll not forget...
Most embarrassing of all.
Upset and in a rush, I threw
My belongings in a corner.
Dropped pants halfway, turned to sit down—
Heard small sound, to my horror.
The throne was not unoccupied,
And my vision loss slammed home.
A small white lady in white clothes
Didn't contrast room's white tones.
Zipping up, grabbing my things,
Surely, my face, tomato red,
I mumbled an apology,
Threw the door open and fled.
Why hadn't she closed/locked the door?
Or spoken when I entered?
Embarrassed, I was blaming her,
Not where my pain was centered.
In "hindsight", I can laugh now;
Poor white-haired lady couldn't speak.

It must've been much worse for her...

An invasion of her peace.

Twice her size, coming in fast,

My assault, unintended.

Thank God she made that small sigh

Before, in her lap, I landed!

This story, in many forms,

Through my life, has been repeated.

I've sat on, or almost, many;

But no others, toilet-seated.

If my cane hits you, or I ask,

"Hello, is this seat taken?"

You'll understand why I take

Extra care to know it's vacant.

You live, you learn...hey, that is life.

We all have our shortcomings.

I'm thankful Jesus is enough

To get us through all such things!

The Orange County Chapter Is My Tribe

By Jordan Mirander

I went to Keno's sports bar on the border of Anaheim and Buena Park, and something that has never happened, happened.

Occasionally, the Inland Empire Chapter would go out to Arts Bar and Grill or Cheesecake Factory, and I would always pick up my own tab. Even on my birthday outing to Cheesecake Factory I paid \$48 for lunch.

I am constantly picking up my own tab, but that day was different. I was expecting to pay for my own turkey dinner, loaded potato soup, and pay for whatever drinks I got. But for the very first time at a California Council of the Blind get together, Bill from Santa Ana paid for my food. Besides that, I have never encountered such a caring, friendly, inviting, and welcoming group of people from the Orange County Chapter.

Medicare Coverage of Behavioral Health Services

Submitted by Jeff Thom

The Department of Health Care Services and the California Department of Aging recently published a fact sheet for providers about Medicare behavioral health benefits, including expanded services and provider types available through Medicare. Starting January 1, 2024, Medicare covers mental health services and visits with marriage and family therapists and mental health counselors, as well as intensive outpatient services in certain settings. For 2024, Medicare has also strengthened requirements for Medicare Advantage plans to coordinate behavioral health care.

The fact sheet covers behavioral health services covered by Medicare, how to enroll as a Medicare provider and participate in Medicare, how providers can help Medicare beneficiaries access care, and 2024 changes in Medicare for behavioral health. To

enroll as a Medicare provider, visit this Medicare this website at:

<https://is.gd/TTBLrp>

Behavioral health services include both mental health and substance use disorder treatment. Both are underutilized in California among Medicare beneficiaries. In 2021, only 8.8 percent of Californians age 65 and older saw a health care professional for mental health or substance use disorders treatment. Barriers to receiving Medicare-covered treatment include a lack of awareness that Medicare covers behavioral health services, a need to increase the number of behavioral health providers or healthcare professionals enrolled in Medicare, and the stigma that may be associated with seeking treatment. Further information is available on the DHCS website at:

<https://is.gd/xq54dL>

The Access and Functional Needs (AFN) Minute August 10, 2023

Emergency managers and individuals with access and functional needs (AFN) continue to face challenges associated with developing integrated, accessible evacuation plans. Local jurisdictions and community stakeholders throughout the state, have asked for a resource outlining the AFN-specific considerations necessary to address this important issue.

The Office of Access and Functional Needs is pleased to announce the publication of Cal OES' newly-developed guide, "Integrated Evacuation Planning for Jurisdictions and Individuals with Access and Functional Needs." The guide is designed to empower local jurisdictions and individuals with access and functional needs with information to develop comprehensive, inclusive emergency evacuation plans that benefit the whole community.

Cal OES developed the guide in partnership with community stakeholders, local jurisdictions, community-based organizations, and subject matter experts. It provides a scalable, forward-leaning, and comprehensive approach that highlights inclusive practices and procedures jurisdictions and individuals should implement for successful evacuation operations before, during, and after emergencies. This product represents the most inclusive, innovative approach to address this complex issue to date.

The guide is available in English at:

<https://is.gd/UlpG5p>

Spring Insomnia: Words For Kelsey By Susan Glass

We wake at three
and find our way outdoors.
Ceanothus and mock orange dizzy us, heady scents:
what moonlight smells like.
I stand barefoot in pajamas;
you snuffle the apple tree,
then rustle under blackberry vines.
Far off, a mockingbird rollicks,
frolics through labyrinthine scales,
a wild night xylophone.
New leaves on the apricot tree
twitch into being even as the air,
balances between two days,
holds and creates the oncoming second,
moment,
illusion of time moving.
You return,
your paws damp as basements.
Together we breathe,
and shimmer.

July 1, 2023 CCB Officers and Directors

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Concord, 925-222-5762, Gabe.Griffith@ccbnet.org

1st Vice President: Sarah Harris (2023-2025, 2nd
term), Fresno, 559-816-1507,
Sarah.Harris@ccbnet.org

2nd Vice President: Rob Turner (2022-2024, 2nd
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Rob.Turner@ccbnet.org

Secretary: Steve Bauer (2023-2025, 1st term),
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Lisa.Thomas@ccbnet.org

Immediate Past President: Judy Wilkinson (2020-2024), San Leandro, 510-388-5079,
Judy.Wilkinson@ccbnet.org

Directors

Regina Brink (2022-2024, 1st term), Sacramento
916-393-0662, Regina.Brink@ccbnet.org

Christy Crespín (2023-2025, 3rd term), Highland
909-800-7189, Christy.Crespin@ccbnet.org

Andrea DeKlotz (2022-2024, 1st term) Orange
714-921-0289, Andrea.DeKlotz@ccbnet.org

Larry Gassman (2022-2024, 2nd term), Fullerton
562-706-7710, Larry.Gassman@ccbnet.org

Joe Green (2023-2025, 1st term), Sacramento
916-317-7957, Joe.Green@ccbnet.org

Daveed Mandell (2023-2025, 1st term), Berkeley
510-504-3211, Daveed.Mandell@ccbnet.org

Pamela Metz (2023-2025, 1st term), Chatsworth
818-388-4995, Pam.Metz@ccbnet.org

Jeff Thom (2022-2024, 2nd term), Sacramento
916-995-3967, Jeff.Thom@ccbnet.org

Penny Valdovinos (2023-2025, 3rd term),
Bakersfield
661-378-8282, Penny.Valdovinos@ccbnet.org

Publications Committee

Mike Keithley, Editor, 650-386-6286 H,
editor@ccbnet.org

Susan Glass, Associate Editor, editor@ccbnet.org

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Donations

If you, a family member, or a friend would like to remember the California Council of the Blind in your Will or estate planning, you can do so by employing the following language:

"I give, devise, and bequeath unto the California Council of the Blind, a nonprofit charitable organization in California, the sum of \$_____ (or _____) to be used for its worthy purposes on behalf of blind persons."

If your wishes are more complex, please contact the executive office for additional information. Thank you.