

CDR legal services help centenarian remain at home

By Patricia Villers

SOUTHURY - A local centenarian now has a much-needed chair lift thanks to advocacy from the Center for Disability Rights in West Haven and Commission on Human Rights and Opportunities.

CDR provides legal services to help disabled individuals remain in the community and in their own homes, said Marc Anthony Gallucci, a lawyer, who serves as Chief Advocate, ADA and LTC Services at CDR.

Heritage Village resident Peter Setaro, a widower, celebrated his 100th birthday in May. His daughter Fran Cain said in a recent phone interview her father has fallen in the past and really needed to have an exterior chair lift installed for his own safety.

Cain, who lives in California, said she had been “working frantically” last year to get a chair lift approved and installed for him. But the COVID-19 pandemic prevented her from traveling to Connecticut, which forced her to do research via phone and email.

She received necessary approvals from the town’s fire department and other local agencies for the lift.

Cain ran into problems when the condo association’s Board of Trustees voted against installation of the chair lift. The association wanted her father - who has very low vision and hearing - to exit and enter his unit through a sliding glass door in the back.

Gallucci said this would have meant a path that was at least 100 yards longer through an area that is not usually cleared of snow right away.

Through an online search for legal help in Connecticut to set up a pooled trust for her father, Cain learned about the nonprofit Center for Disability Rights.

A pooled trust allows an individual with a disability to fund a trust account each month, and still qualify for entitlements.

In February 2021 Cain contacted CDR Legal Services to inquire about helping her father to retain his Medicaid-funded home care services under the Home Care for the Elders program.

“I searched the list of attorneys on the Plan of Connecticut website and liked that [CDR’s] attorney had some type of disability, if that is the right term,” Cain said.



“I liked the name [of the organization] right away. I thought it was wonderful to see people with disabilities helping other people with disabilities in such a meaningful way.”

When Cain contacted CDR she spoke to Gallucci who she called “an expert on all things Medicaid. He knew the ropes.”

Gallucci said, “Mr. Setaro was being thrown off of Medicaid Home Care services that he needed. Without CDR Legal, he would have lost the services and would have had to go into a nursing home.”

Gallucci said, “After doing an assessment, I determined that Mr. Setaro needed a pooled trust and he needed it right away. In four days, I quickly developed one and filed it. It was approved March 11 at the Plan of CT Trustees’ meeting. Then I quickly activated the Trust and sent the information to both the access agency and the Department of Social Services.”

Meet Our Long Term Care Planning Attorney

Marc Anthony Gallucci, Esq. is graduate of the University of Connecticut School of Law.

He is Chief Advocate of CDR and is a member of the Connecticut Bar Association and the Plan of CT. He is also a Certified Aging & Disability Specialist (CADS).

Gallucci has advocated for people with disabilities and their families for four decades.

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CDR sponsors accessible vaccination clinics

WEST HAVEN - CDR, in conjunction with the CT Dept of Public Health, the Dept of Aging and Disability Services, and Griffin Hospital has been sponsoring accessible COVID Vaccination clinics.

The next clinic is being held on July 17 from 10 AM - 4 PM at CCRN Comunidad Cristiana de Restauracion de los Naciones at 43 Jones Road, Hamden.

The clinics are wheel chair accessible and ASL sign language interpreters are provided.

No pre-registration is necessary - just walk-in. Usually participants have a choice between the J&J or one dose or either the Pfizer or Moderna.

Follow-up clinics for the second dose are scheduled for all clinics at the same locations.

For more information, call Rick Famiglietti at 203-934-7077 or e-mail him at Rick@cdr-ct.org



CDR employees assist at the Una Iglcias clinic. (L-R): Carmen Correa, Candace Blanton, and Rick Famiglietti.

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People who are 65 and older and who are deemed disabled are eligible for a pooled trust. Individuals who are younger than 65 and who have a government declared disability status (i.e. SSDI, or SSI, or Veteran's Disability) also can set up a pooled Special Needs Trust through Plan of CT.

"Right before the end of the month and just before Mr. Setaro was about to be cut off of his benefits, Fran reported we had success and he was re-approved for Home Care for Elders services," Gallucci said.

Cain also filed a discrimination suit with the Connecticut Commission on Human Rights and Opportunities.

Cyndi Dryfe, an investigator with CHRO, was appointed as a mediator in the case.

"I just didn't understand the pushback," Dryfe said, referring to installation of a chair lift. She informed the condo association that having Setaro enter and exit through a sliding glass door was an inferior solution to a chair lift

that would allow Setaro to exit directly to the parking area.

Cain expressed her appreciation for Dryfe, who assisted her by contacting attorney Pam Heller at the Fair Housing Center in Hartford, to represent her. She called Gallucci, Dryfe, and Heller a "dream team."

Cain invited them to meet her father at his 100th birthday celebration May 12 and to thank them for their assistance.

Gallucci said, "I very much wanted to meet Fran in person and also to celebrate Mr. Setaro's birthday and his victory. I also wanted to meet Cyndi Dryfe and hear about her efforts to advocate for the chair lift."

Dryfe said she was happy to be able to meet Setaro in person. "He was so grateful to me," she said. "He had tears in his eyes."

The Center for Disability Rights is a consumer-controlled, community based organization - a single point of access to resources for all, regardless of disability

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Editorial and Design by Alcam Writing & Admin LLC, Derby, CT.