
FACT SHEET ON DD INTEGRATION CASE

Background

Over 6,000 individuals with intellectual and developmental disabilities live in institutional settings. Many of these individuals would like to move out of the institution and live in a more community-based setting.

There are waiting lists of over 40,000 individuals who are requesting access to home and community-based services. While many of these individuals currently live in a community-based setting, they are at risk of being forced to move into an institution because

- 1) there is insufficient access to appropriate home and community based services. For example, 8,000 of these individuals live with an aging caregiver, who may not be able to continue to support their needs in the future.
- 2) necessary services are available only in an institution because they are not provided on existing waivers, or caps or other cost factors limit the services available, forcing individuals to institutions for long-term service and supports.

The waiting list for home and community-based services is long and slow moving. Currently, the median wait time is 13 years for people in ICFs to access waiver services.

Similarly, many individuals with intellectual and developmental disabilities want to receive employment services in a competitive, community-based setting. However, as of 2013, 93% of Ohio's employment services funds are spent in sheltered workshops or segregated employment enclaves. In 2013, Ohio had about 17,000 individuals with intellectual or developmental disabilities receive services in sheltered workshops – more than any other state in the nation.

16 years ago, the United States Supreme Court decided the landmark case of *Olmstead v. L.C.*, ruling that unnecessary institutionalization and segregation from society of people with disabilities is a form of discrimination under the Americans with Disabilities Act.

Ohio is violating federal law by not doing enough to implement the Supreme Court's decision and giving people with disabilities real options to live their lives connected with society.

Who Will Be Covered by the Lawsuit

Disability Rights Ohio and its partners are seeking to represent people with developmental disabilities in institutions called Intermediate Care Facilities (ICFs) with eight beds or more, and people who are at serious risk of admission. The lawsuit seeks to increase opportunities for these individuals for community options. No one will be forced to move.



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Key Goals

The way the state administers services for people with developmental disabilities forces individuals to receive services in institutional settings. Funding is provided for anyone who resides in an institutional setting, but funding for community-based options is very limited. When funding for community-based options is not available people are forced to receive services in an institutional setting.

Ohio needs to change the way it administers programs and services so that people with developmental disabilities have a real choice to

- live in the community that they want, with the care that they need;
- find a job in the community with the help that they need; and
- pursue activities in the community with the support that they need.

The way Ohio currently operates its service system will have to change. These changes will not happen immediately. Changes will be implemented in a thoughtful manner and within an appropriate period of time, and with attention to the individual's needs and safety.

What this means for individuals with disabilities and their families

Once appropriate services and supports are in place, more individuals with disabilities will be transitioning from institutional-based settings to community-based settings. People with developmental disabilities should have their safety assured. No one should move without adequate care or before they are ready.

The litigation seeks to create opportunities. We should start with the basic principle that all persons with developmental disabilities are capable of living fully engaged in their communities, and then build the support they need to do so successfully. While the goal is not to close any particular ICF or workshop, there may be a reduction in ICF beds and some ICFs and workshops may downsize or close as individuals choose community options.

Additional information

You can contact Disability Rights Ohio at 1-800-282-9181 (TTY 800-858-3542). Press "2" for our intake line. We will do our best to answer your questions.