The Disability Integration Act

Over 25 years after the signing of the Americans with Disabilities Act (ADA), institutionalization seriously interferes with the liberty of people with disabilities and seniors. The Senate HELP Committee report *"Separate and Unequal: States Fail to Fulfill the Community Living Promise of the Americans with*



Disabilities Act" documented the failure of States to secure and protect the liberty of people with disabilities and seniors by refusing to provide community-based services. That report recommended that Congress strengthen the ADA integration mandate to clarify that States and private insurers cannot interfere with every American's right to liberty by failing to provide Long Term Services and Supports (LTSS) in the community.

Summary of Legislation

The Disability Integration Act ensures that people with disabilities have a right to live and receive services in their own homes. The DIA further secures our constitutionally protected right to liberty by preventing disabled people from being forced into costly institutional settings by unnecessary government regulations.

Legislative Approach

The **Disability Integration Act (S.117/H.R. 555)**, introduced by **Minority Leader Schumer (D-NY) and Gardner (R-CO)** and **Representative Sensenbrenner (R-WI)**, and supported by **Senator Jon Tester (D-MT)**, creates a comprehensive solution, assuring the full integration of disabled people in the community by:

- clarifying that **every individual who is eligible for LTSS** has a federally protected right to a **real choice** in how they receive services and supports;
- assuring that states and other LTSS insurance providers **deliver services** in a manner that allows disabled individuals to **live in the most integrated setting**, have maximum control over their services and supports, and lead an independent life;
- articulates the **right to live in the community** without creating unnecessary or wasteful Government programs; **States have broad latitude** to determine how they will secure that right;
- establishing a **comprehensive planning requirement** that includes enforceable benchmarks;
- requiring public entities to address the need for **affordable**, **accessible**, **integrated housing that is independent of service delivery**; and establishing **stronger**, **targeted enforcement** mechanisms.

Why You Should Support DIA

- It secures the Constitutional right to liberty for millions of disabled people and seniors who are in institutions and want to live in the community.
- It helps aging seniors stay in their own homes.
- It saves millions of Federal and State dollars compared with institutionalization.
- It keeps families together.

Support for this Legislation

This legislation has broad-based support of organizations with over 100 national groups, and over 600 groups in all. It was crafted by ADAPT & the National Council on Independent Living. Key supporters include:

- ACLU
- American Association of People with Disabilities
- Association of University Centers on Disabilities
- Bazelon Center for Mental Health Law
- Brain Injury
 Association of America
- Center for Public Representation
- DREDF
- Human Rights Campaign

- National Council on Aging
- National Disability Leadership Alliance
- National Downs Syndrome Congress
- National Association of the Deaf
- Paralyzed Veterans of America
- The Arc of the United States
- The Christopher & Dana Reeve Foundation
- United Spinal Association
- Women's March

THE RIGHT TO LIVE IN THE COMMUNITY is logically prior to, and necessary for, the exercise of the rights which the ADA was intended to secure for all people with disabilities.

The lack of adequate community-based services and supports has imperiled the civil rights of all people with disabilities, and has undermined the very promise of the ADA.

It is, therefore, necessary to recognize in statute a robust and fullyarticulated right to community living.

This issue has significant untapped public support. In 2010, ADAPT secured a Harris poll assessing public support. The poll showed that 89% of all Americans, and 94% of retirees, support legislation which would require people to get home and community-based supports and services instead of forcing older and disabled Americans into nursing facilities and other institutions.

More information, including the full supporter list, is available at the DIA website: www.DisabilityIntegrationAct.org

For additional information, please contact Dara Baldwin: <u>dara.baldwin@ncdr.us</u>



The Democrats Follow This is the official Medium account of the Democratic Party. Nov 30, 2017 \cdot 2 min read

Democrats Stand with Americans with Disabilities

The Americans with Disabilities Act guarantees that no one should face discrimination based on their disability. Since the passage of the landmark civil rights law, four presidential administrations have worked to enforce the protections and regulations that ensure equality and inclusion for people with disabilities. However, the Trump administration and congressional Republicans are actively working to strip away the civil rights of disabled Americans by weakening enforcement of the ADA, including gutting the Affordable Care Act, decreasing inclusion in schools for those with disabilities, cutting independent living programs, and reducing job training and workforce accessibility programs.

While Republicans roll back protections for people with disabilities, the Democratic Party is working to expand equal opportunities, increase participation in our workforce, and improve accessibility to independent living for people with disabilities. The right to live in the community is a civil and constitutional right too often denied to Disabled Americans, even though we know that home and communitybased services and supports are not only what people want, but are also more cost-effective. That's why Senate Democrats introduced the Disability Integration Act, a bipartisan bill to ensure that no Disabled American is denied their right and opportunity to live freely and independently in the community. This legislation, when enacted, will give people with disabilities who remain in institutions a chance to experience the same dignity and freedom as every other citizen. Democrats are proud to support this landmark civil rights legislation and support the Disability community working to secure its passage.

Democrats will continue our efforts to defend the Americans with Disabilities Act against attacks intended to undercut the rights of people with disabilities, and we will work to ensure that workers with disabilities are no longer denied the workforce protections available to every other American. We support one fair wage for all workers by ending the sub-minimum wage for people with disabilities under Section 14(c) of the Fair Labor Standards Act.

Unfortunately, congressional Republicans haven't shown any willingness to stand up for the people they're supposed to represent. In fact, they're making things worse:

The Republican budget would end Medicare and Medicaid as we know them in exchange for corporate tax cuts—while slashing job training and education programs that ensure that people with disabilities have an equal opportunity to thrive.

The House tax plan would trigger automatic cuts to essential programs, including \$25 billion from Medicare next year alone.

The GOP tax plan would <u>eliminate the medical expense deduction</u> that millions of people with disabilities and their families use to help with the costs of nursing home care and other very high out-of-pocket health care costs.

The House Republican tax plan would <u>eliminate a tax credit that</u> <u>incentivizes businesses</u> to hire people with disabilities.

The GOP tax plan would <u>eliminate a tax credit that businesses use</u> to retrofit to be more accessible.

The Trump administration recently <u>rescinded education guidelines</u> that detail the rights of students with disabilities in schools.

Democrats are proud to partner with Disabled Activists to fight back against these attacks and for full integration and independence for Disabled Americans.

Center for American Progress

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DISABILITY

STATEMENT: CAP's Rebecca Cokley on Endorsing the Disability Integration Act

Date: May 15, 2018 Contact: Kyle Epstein Email: kepstein@americanprogress.org

Washington, D.C. — Today, the Center for American Progress endorsed the Disability Integration Act, a bipartisan, bicameral bill that would ensure that disabled Americans have the right to live and receive essential services in the comfort of their own homes. **Rebecca Cokley**, a senior fellow for Disability Policy at the Center for American Progress, issued the following statement in response:

One in five Americans lives with disabilities. Yet, for too long, disability has lived in a silo, separate from broader conversations about progressive policy. CAP is proud to be the first and only progressive think tank with a dedicated disability project. It's why we value our strong partnership with ADAPT and other leaders in the disability community— particularly at a time when President Donald Trump and his colleagues in Congress are advancing policies that would set disability rights back by half a century or more, such as dismantling Medicaid and the Affordable Care Act. And it's why we're proud to be a leader in breaking down silos to ensure that the disability community is at the table and that the progressive community has the disabilities Act was signed into law, too many Americans with disabilities are still fighting for the right to live independently, rather than in isolating institutions. This must end. CAP commends ADAPT for its leadership in raising awareness about this injustice and is proud to support the Disability Integration Act.

Bruce Darling, a national organizer for ADAPT, issued the following statement:

CAP has recognized that structural ableism has excluded disabled voices from many policymaking tables. It has actively worked to include people with disabilities in its work and on its staff. We commend CAP for its leadership on this and for their enthusiastic support of the Disability Integration Act, which will ensure disabled Americans are able to live in freedom.

For more information or to speak with an expert, please contact Kyle Epstein at kepstein@americanprogress.org or 202.481.8137.



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May 11, 2018

To: Senate HELP Committee – Senator Lamar Alexander, Chair Senator Patty Murray, Ranking Member

House Energy and Commerce Subcommittee on Health Representative Michael Burgess, Chair Representative Gene Green, Ranking Member

House Judiciary Committee Subcommittee on The Constitution and Civil Justice Representative Steve King, Chair Representative Steve Cohen, Ranking Member

Dear Senators and Representatives,

The 610 organizations undersigned below are civil, disability, human and environmental rights as well as faith based groups who support The Disability Integration Act of 2017 (DIA) (S. 910/H.R. 2472) and request Congress to engage in legislative action and swiftly pass this bill. The DIA is bipartisan, bicameral legislation that would secure the Constitutional right to liberty for millions of Americans with disabilities by ensuring that they have the choice to receive home- and community-based services (HCBS) and supports needed to live an independent life, instead of institutionalization.

For too many years, thousands of people with disabilities have been isolated and segregated in institutional settings, where they lose the opportunity to be full participants in society. This includes children, youth, adults and seniors with disabilities. As the Supreme Court has observed, "confinement in an institution severely diminishes the everyday life activities of individuals, including family relations, social contacts, work options, economic independence, educational advancement, and cultural enrichment," *Olmstead v. L.C. ex rel. Zimring*, 527 U.S. 581, 601, 119 S. Ct. 2176, 2187 (1999) and furthermore, institutionalizing people who could live in community settings "perpetuates unwarranted assumptions that persons so isolated are incapable or unworthy of participating in community life." *Olmstead*, 527 U.S. at 583, 119 S. Ct. at 2179, (1999).

Even with The Supreme Court's *Olmstead* decision, the limited availability of home- and communitybased services leave people with disabilities no option but unwanted institutionalization. This prevents them from exercising a right to live where they choose, get an education and participate in everyday life activities such as work, worship and all other things – liberties that are often taken for granted by most non-disabled Americans. In addition to being denied the right to live in the setting of their choice, individuals with disabilities, seniors and their families face unnecessary financial and emotional distress when facing unwanted institutionalization. The Disability Integration Act would ensure that people with disabilities and seniors who require long term supports and services are able to remain in their homes, stay with their families and continue to contribute to their communities.

We look forward to working with Congress to pass this urgent, important legislation that will prevent many American families from being torn apart because a disabled family member can only receive the supports and services they need in an institution. DIA needs your support, and disabled Americans need you to pass the legislation now.

National Organizations

#CripTheVote ADAPT Adaptive Adventures Advance CLASS Advocates for Justice American Association of People with Disabilities (AAPD) American Association on Health and Disability American Association on Intellectual and Developmental Disabilities (AAIDD) American Civil Liberties Union American Council of the Blind American Foundation for the Blind American **Physical Therapy Association** Association of Assistive Technology Act Programs Association of People Supporting Employment First (APSE) Association of Programs for Rural Independent Living (APRIL) Association of University Centers on Disabilities (AUCD) Autism Women's Network Autism Society AutismHWY Autistic Self Advocacy Network (ASAN) Bazelon Center for Mental Health Law **BiNet USA** Brain Injury Association of America **Caring Across Generations Cascadia Deaf Nation** Center for Public Representation Center for the Human Rights of Users and Survivors of Psychiatry CenterLink: The Community of LGBT Centers Change Catalyst **CPD** Action **Democratic National Committee Disability Action for America Disability Power and Pride Disability Resource Center** Disability Rights Education & Defense Funds (DREDF) **Disabled Parenting Project Diverse Disability Media**

DREAM - Disability Rights, Education, Activism, & Mentoring **Everyday Psych Victims Project** ExpandMedicaidNow Impact Families USA Foundation for Sarcoidosis Research Getting Back Up Gift of Hope Organ & Tissue Donor Network Griffin-Hammis Associates, Inc. Health and Disability Advocates Health Over Profit for Everyone **Healthcare Rights Coalition** HOPE TBI Human Rights Campaign Humanity Enabled Indivisible Institute for Disability Studies and Policy Justice in Aging Law Project for Psychiatric Rights Leadership Conference on Civil and Human Rights Lifelong Adoptions Little Lobbyists Little People of America Lutheran Services in America Disability Network Medicare Rights Center (MRC) MindFreedom International **MODELCI Disability Inclusion** MoveOn.org National Academy of Elder Law Attorneys (NAELA) National Association of Councils on Developmental Disabilities National Association of State Head Injury Administrators National Association of the Deaf National Center For Lesbian Rights National Center for Transgender Equality National Coalition for Latinxs with Disabilities National Coalition for Mental Health Recovery National Council on Aging (NCOA) National Council on Independent Living (NCIL) National Disability Leadership Alliance (NDLA) National Disability Mentoring Coalition National Disability Rights Network National Down Syndrome Congress National Federation of the Blind National Health Law Program National LGBTQ Task Force Action Fund National Multiple Sclerosis Society National Organization of Nurses with Disabilities (NOND) National Respite Coalition National Association of State Head Injury Administrators

NMD United, Inc. Northern Nevada Working Families Party **NOS Magazine** Not Dead Yet (NDY) **Orange Theory Fitness** Paralyzed Veterans of America Paraprofessional Healthcare Institute (PHI) Parent to Parent USA Perkins School for the Blind Post-Polio Health International Progressive Democrats Of America Project LETS Queerability Road to Freedom Bus Tour **Rooted in Rights** Self Advocates Becoming Empowered (SABE) Self-Advocacy leadership Team (SALT) Service Employees International Union (SEIU) Social Security Works Solve ME/CFS Initiative Street Pictures TASH The ADA Legacy Project The Advocacy Institute The Arc of the United States The Christopher & Dana Reeve Foundation The Community Consortium The Congress of Disabled Persons Against Exploitation The Sargent Shriver National Center on Poverty Law The Sunrise Group The USA Sports Council **Together We Will USA** Transverse Myelitis Association UltraViolet United Cerebral Palsy United Spinal Association Women's March Women's March on Washington - Disability Caucus World Institute on Disability

State and Local Organizations

Alabama

Disability Rights & Resources Housing Opportunities Made Equal of VA

Alaska

Access Alaska SILC of Alaska

Arizona

Ability360 DIRECT Center for Independence New Horizons Disability Empowerment Center People Demanding Action Arizona Services Maximizing IL & Empowerment

Arkansas

Arkansas Association of the Deaf Disability Resource & Advocacy Center Disability Rights Arkansas Palco, Inc Spa Area Independent Living Services

California

ADAPT Los Angeles California Foundation for Independent Living Centers (CFILC) California Independent Living California State Independent Living Council Center for Independence of Individuals with Disabilities Center for Independent Living Central Coast Center for Independent Living Communities Actively Living Independent and Free - CALIF Community Resources for Independent Living **Dayle McIntosh Center Designing Accessible Communities** Disability Resource Agency for Independent Living Disabled Resources Center, Inc. (DRC) FREED Center for Independent Living Independent Living Resource Center (ILRC) Independent Living Resource Center San Francisco Independent Living Resources of Solano & Contra Costa Counties Latina Mami Lions Center for the Blind Marin Center for Independent Living NorCal Services for Deaf & HH Personal Assistance Services Council Placer Independent Resource Services **Resources for Independence Central Valley** Rev. Ellyn Kearney RiseUp4HealthCare Rolling Start, Inc. SABE

Service Center for Independent Life Silicon Valley Independent Living Center Southern CA Resource Services for Independent Living Tri County Independent Living Unbound Books Autism Acceptance Library United Cerebral Palsy of Central Florida Westside Center for Independent Living

Colorado

Atlantis Community Incorporated Center for People With Disabilities Colorado Cross-Disability Coalition Colorado Mental Wellness Network Connections for Independent Living Parent to Parent Southwest Center for Independence The Independence Center - Colorado Springs

Connecticut

Center for Disability Rights Connecticut Fair Housing Center Connecticut Legal Rights Project, Inc. CT Cross-Disability Lifespan Alliance CT State Independent Living Council (CT-SILC) Independence Northwest, Inc. Independence Unlimited, Inc. Mental Health Connecticut NAMI Connecticut Women's March on Washington--Connecticut Chapter

Delaware

ADAPT Delaware Freedom Center for Independent Living Independent Resources, Inc.

District of Columbia

DC Metro ADAPT DC Metro Democratic Socialists of America Disability InterSectionality National Fair Housing Alliance St. John's Community Services The District of Columbia Center for Independent Living, Inc Washington Metro Disabled Students Collective

Florida

CIL in Central Florida Center for Independent Living of South Florida Disability Achievement Center First Coast Disability Advocates The ILRC of Northeast Florida The Sunrise Group

Georgia

Access to a Better Tomorrow, Inc.

- Albany Advocacy Resource Center
- Athens Inclusive Recreation and Sports
- Atlanta Post Polio Association
- Be The Change
- Disability Action Center of Georgia, Inc. (disABILITY LINK)
- **Disabled Queers In Action**
- Frazer Center
- Georgia ADAPT
- Georgia Advocacy Office
- Georgia Association for the Deaf
- Georgia Options, Inc.
- Middle Georgia Center for Independent Living, Inc.
- NWGA Center for Independent Living
- Parent to Parent of Georgia
- People First of Atlanta
- People First of Georgia
- Seminole Spirit
- Sign Systems, LLC
- Speak Foundation
- Statewide Independent Living Council of GA, Inc
- The Arc Georgia
- The Specialty Nurse Company, Inc.

Hawaii

Aloha Independent Living Hawaii Statewide Independent Living Council of Hawaii

Idaho

All Seasons DisAbility Rights Idaho Disability Action Center Disability Action Center - NW, Inc. Idaho Federation of Families for Children's Mental Health Idaho State Independent Living Council Living Independence Network Corporation (LINC) Living Independently For Everyone, Inc. (LIFE, Inc.) United Action for Idaho United Vision for Idaho

Illinois

Aardvark Insurance Ability Chicago Access Living of Metropolitan Chicago Achieving Independence and Mobility Center for Independent Living Alliance for Community Services Anixter Center Apostolic Faith Church Black Network In Children's Emotional Health (BNICEH) Center on Halsted Central Synagogue of Chicago Chicago ADAPT Chicago Disability Activsm Collective Chicago House and Social Service Agency ChicagoPride.com Chiro One Church of the Three Crosses Citizens Utility Board Disability Policy Office, Chicago Park District **Disability Pride Parade** Equip for Equality **Edgewater Reads Elderworks Educational Services** Folk That LLC **HOPE Fair Housing Center** IMPACT CIL Illinois Iowa Center for Independent Living Illinois Network of Centers for Independent Living Illinois Parents of Adults with Developmental Disabilities (IPADD) **Illinois Single-Payer Coalition** Illinois Valley Center for Independent Living **Inclusion PAC Independence Plus Inc** Independent Movement of Paratransit Riders for Unity, Vehicles, Equality (IMPRUVE) Jacksonville Area Center for Independent Living LIFE Center for Independent Living LINC, Inc Lake County Center for Independent Living MFTD Waiver Families

MOMENTA **McKee Family Foundation** New Star Nexus Radio **Options Center for Independent Living** Organizing Neighborhoods for Equality: Northside (ONE Northside) PACE, Inc. Center for Independent living Physicians for a National Health Program Illinois **Progress Center for Independent Living RAMP** Center for Independent Living Roustabout Media Self Advocate Springfield Center for Independent Living (SCIL) Southern Illinois Center for Independent Living St Paul's House Soyland Access to Independent Living (SAIL) Springfield Center for Independent Living Stone-Hayes Center for Independent Living The Habitat Company Thomas Clark Law Thresholds Trisomy Families, Inc. Wellington Ave. United Church of Christ West Central IL Center for Independent Living Will-Grundy Center for Independent Living

Indiana

AccessABILITY Center for Independent Living Attic, Inc. Delta State Polythenic Fair Housing Center of Central Indiana Fort Wayne Clubhouse / The Carriage House Indiana Statewide Independent Living Council (INSILC) The League The Wabash Independent Living & Learning Center, Inc. Turnstone

lowa

Brett's Buddies Disabilities Resource Center of Siouxland Heart of Iowa Democratic Socialists of America (DSA) Iowa Statewide Independent Living Council (SILC) Iowa Vocational Rehabilitation Services MP Climb On

Kansas

Beach Center on Disability Coalition For Independence Disability Rights Center of Kansas Independent Living Resource Center Kansas ADAPT Kansas City Disability Leadership Coalition Kansas University Center on Developmental Disabilities Prairie Independent Living Resource Center, Inc. (PILR) Resource Center for Independent Living, Inc. Statewide Independent Living Council of Kansas SKIL Resource Center Statewide Independent Living Council of Kansas Three Rivers Inc. Topeka Independent Living Resource Center

Kentucky

Blofish Center for Accessible Living disABILITY Resource Center of Southeast Kentucky Independence Place Resources for Independence

Louisiana

@Southwest Louisiana Independence Center, Inc.
Advocacy Center of Louisiana
New Horizons Independent Living Center
People First of Louisiana
Southwest Louisiana Independent Center
The Advocacy Center of Louisiana

Maine

Alpha One OHI Wild River Consulting Corp

Maryland

Baltimore County Green Party Bay Area Center for Independent Living, Inc. Healthcare is a Human right Maryland Independence Now Indivisible North Baltimore County Indivisible Towson Maryland ADAPT The Freedom Center The IMAGE Center of Maryland Together We Will -- Baltimore Area

Massachusetts

AdLib, Inc. Boston Center for Independent Living Disability Policy Consortium Independence Associates, Inc. Independent Living Center of the North Shore and Cape Ann, Inc MA Pediatric Home Nursing Care Campaign MassADAPT MetroWest Center for Independent Living Multi-Cultural Independent Living Center of Boston Northeast Independent Living Program Inc. RYAN LEVIA Stavros Center for Independent Living TASH New England The Meeting Point

Michigan

ADAPT Michigan Community Living Services, Inc. Disability Network Northern Michigan Disability Network Southwest Michigan Grand Rapids ADAPT Kent Regional Inclusive Community Coalition MI Disability Rights Coalition Michigan Deaf Association Michigan Statewide Independent Living Council National Academy of Elder Law Attorneys- Michigan Chapter Peer Action Alliance

Minnesota

Happy Hands LLP Options Interstate Resource Center for Independent Living Southeastern MN Center for Independent Living (SEMCIL) Southern MN. Independent Living Enterprises & Services (SMILES) Trisomy Families, Inc. United Cerebral Palsy of Central MN Zstudio

Mississippi

Coalition for Citizens with Disabilities Living Independence for Everyone LIFE of Mississippi

Missouri

Paraquad, Inc. Rural Advocates for Independent Living SEMO Alliance for Disability Independence Southwest Central for Independent Living (SCIL)

Montana

ADAPT Montana Disability Rights Montana Living Independently for Today and Tomorrow Montana Independent Living Project Not Dead Yet Montana Statewide Independent Living Council (SILC) Summit Independent Living Center, Inc.

Nebraska

Autism Women's Network Independence Rising Indivisible Omaha Panhandle Independent Living Services

Nevada

Northern Nevada Center for Independent Living

New Hampshire

Granite State Independent Living NH Pediatric Nursing Care Campaign One Sky Community Services

New Jersey

Alliance Center for Independence Camden City Independent Living Center Center for Independent Living of South Jersey Inc. DIAL Center for Independent Living Heightened Independence and Progress (HIP) Progressive Center for Independent Living Reach Your Potential USA, Inc. Resources for Independent Living, Inc. Stockton University Disability Studies

New Mexico

AAA Participant Direction Independent Living Resource Center New Vistas Center for Independent Living Professional Women with Disabilities Network San Juan Center for Independence-Gallup

New York

1199SEIU United Healthcare Workers East ARISE Access to Independence of Cortland County, Inc. **Action Toward Independence** Advocates For Autism, LLC All About You Homecare (AAY) BRIDGES Brain Injury Association of New York State Bronx Independent Living Services (BILS) **CNY Solidarity Coalition** Capital District Center for Independence, Inc Catskill Center for Independence Center for Disability Rights (CDR) Center for Independence of the Disabled, NY (CIDNY) Concepts of Independence **Consumer Directed Choices** Consumer Directed Personal Assistance Association of New York **Deaf Community Advocacy Disability Rights New York** Disabled In Action of Metropolitan New York (DIA) Empire State Association of the Deaf **Finger Lakes Independence Center** Gay Alliance of the Genesee Valley, INC Harlem Independent Living Center Healing Reign Christian Church Housing Works Independent Living Center of the Hudson Valley Independent Living, Inc. Kahrmann Advocacy Coalition Larker Anthology Long Island ADAPT Long Island Activists Long Island Center for Independent Living (LICIL) Massena Independent Living Center, Inc.

Mental Health Empowerment Project (MHEP) New York Association on Independent Living (NYAIL) New York State ADAPT New York State Independent Living Council (NYSILC) North Country Center for Independence North Country Access to Health Care Committee Northern Regional Center for Independent Living Physicians for a National Health Program New York Metro Chapter Regional Center for Independent Living (RCIL) **Reinvention Life Coaching** Resource Center for Accessible Living (RCAL) Resource Center for Independent Living (RCIL) **Rochester ADAPT** Self-Advocacy Association of New York State (SAANYS) Southern Adirondack Independent Living Center Southern Tier ADAPT Southern Tier Independence Center (STIC) Suffolk Independent Living Organization (SILO) Taconic Resources for Independence, Inc. The Alliance of TBI & NHTD Waiver Providers The Viscardi Center Voice Buffalo Welcome Change Productions Westchester Disabled On the Move (WDOM) Westchester Independent Living Center (WILC)

North Carolina

Disability Partners Disability Rights & Resources Illumination Foundation of NC Independent Living Network of NC Joy A Shabazz Center for Disability Rights NCSILC The Adaptables, Inc disAbility Resource Center

North Dakota

Dakota Center for Independent Living, Inc. Freedom Resource Center for Independent Living, Inc. Options Interstate Resource Center for Independent Living

Ohio

Central Ohio Fair Housing Association

Junto Unsilenced Miami Valley Fair Housing Center Supporters of Disability Rights in the Mid Ohio Valley, Inc The Ability Center of Greater Toledo The Center for Disability Empowerment Toledo Fair Housing Center Western Reserve Independent Living Center

Oklahoma

Ability Resources, Inc. Dynamic independence Oklahomans for Independent Living Progressive Independence

Oregon

Allies, LLC Disability Rights Center Disability Rights Oregon Eastern Oregon Center for Independent Living (EOCIL) Handicap Awareness & Support League (HASL) Lane Independent Living Alliance (LILA) Oregon State Independent Living Council SPOKES Unlimited Umpqua Valley disAbilities Network

Pennsylvania

Autistic Self Advocacy Network, Pittsburgh Chapter Center for Independent Living Community Legal Services of Philadelphia **Consumer Workforce Council of PA** Disabled in Action of PA **Disability Options Network EDGE Philly Education Rights Network** Independence EDGE Studio Liberty Resources, Inc Out of Order Philadelphia: Queer Disability Justice Project Pennsylvania Council on Independent Living Pennsylvania Statewide Independent Living Council (PASILC) Pennsylvania Together Philadelphia Parent Support Groups Philly Bi Visibility Roads To Freedom; Center for Independent Living **Roxborough Parent Support Group**

The Good Peoples Group Three Rivers Center for Independent Living Tri-County Patriots for Independent Living Tuesdays With Toomey United Home Care Workers of Pennsylvania Vision for Equality, Inc Voices for Independence West Philadelphia Parent Support Group Western PA ADAPT

Puerto Rico

Movimiento para el alcance de vida independiente

Rhode Island Rhode Island Disability Law Center

South Carolina

Able South Carolina disAbility Resource Center (dba) AccessAbility Indivisible Charleston

South Dakota

Independent Living Choices (ILC) Independent Living Choices - Aberdeen Independent Living Choices - Huron Independent Living Choices - Mitchell Independent Living Choices - Watertown Independent Living Choices - Yankton South Dakota Coalition of Citizens with Disabilities

Tennessee

Empower Tennessee Mid-South ADAPT T.A.R.P., Inc. Center for Independent Living The Memphis Center for Independent Living disABILITY Resource Center

Texas

ADAPT of Brazoria County ADAPT of Texas ARCIL Inc. Accessible Housing Austin (AHA!) Brazoria County Center for Independent Living Brazos Valley Center for Independent Living (BVCIL) Coalition of Texans with Disabilities

- Community Now!
- Dignidad, Igualdad y Oportunidad (DIO)
- Disability Activism of ADAPT
- El Paso Desert ADAPT
- Family To Family Network
- Fort Bend Center for Independent Living
- Grupo Dignidad, Igualdad, y Oportunidad (D.I.O)
- Heart of Central Texas Independent Living Center, Inc.
- Houston Center for Independent Living
- Paso del Norte Children's Development Center
- Personal Attendant Coalition of Texas (PACT)
- Pride Socks
- **REACH Resource Centers on Independent Living**
- **RISE Center for Independent Living**
- San Antonio Independent Living Services
- **Texas Disability Project**
- Texas State Independent Living Council
- The Arc of El Paso
- United Advocacy of El Paso
- United Way of Brazoria County
- Volar Center for Independent Living

Utah

Center for Persons with Disabilities Legislative Coalition for People With Disabilities Roads to Independence Salt Lake County Democratic Progressive Caucus Utah Statewide Independent Living Council

Vermont

Brain Injury Association of VT Center on Disability and Community Inclusion Champlain Community Services Community of Vermont Elders Disability Rights Vermont Green Mountain ADAPT Green Mountain Self-Advocates Justice For All Migrant Justice / Justicia Migrante Rights and Democracy Vermont Affordable Housing Coalition Vermont Center for Independent Living Vermont Coalition for Disability Rights Vermont Legal Aid Vermont Network Against Domestic and Sexual Violence Vermont Psychiatric Survivors, Inc. Vermont Statewide Independent Council Vermont Workers' Center Voices for Vermont's Children

Virginia

Appalachian Independence Center, Inc. Blue Ridge Independent Living Center Clinch Independent Living Services Corpus: Disabled Student Group Disability Resource Center of the Rappahannock Area, Inc Eastern Shore Center for Independent Living, INC Endependence Center Inc. Independence Empowerment Center Junction Center for Independent Living, Inc Lynchburg Area Center for Independent Living, Inc Parent to Parent of Virginia Resources for Independent Living Inc Valley Associates for Independent Living, Inc

Washington

Bellingham Deaf and Disability Justice Collective Center for Independence Central Washington Disability Resources Disability Rights Washington Ed Wiley Autism Acceptance Library Spokane Center for Independent Living (SCIL)

West Virginia

Appalachian Center for Independent Living Northern West Virginia Center for Independent Living Student Access Advocates West Virginia Statewide Independent Living Council

Wisconsin

Access to Independence, Inc. Advancing Abilities of Wisconsin CIL for Western Wisconsin Center for Independent Living for Western Wisconsin Central Wisconsin ADAPT Disability Pride Madison Disability Rights Wisconsin Forward Fox Valley IndependenceFirst Independent Living Resources, Inc Indivisible Madison Indivisible MI06 North Country Independent Living Options for Independent Living Southeast Wisconsin (SEWI) ADAPT Southeastern WI Disability Rights Wisconsin Coalition of Independent Living Centers

Wyoming

Wyoming Independent Living Wyoming Institute for Disabilities

cc: United States Senate United States House of Representatives The following organizations have also signed on as Disability Integration Act Supporters.

National Organizations

Autism Society Democratic National Committee Disability Action for America Families USA Health and Disability Advocates Health Over Profit for Everyone Institute for Disability Studies and Policy National Association of Councils on Developmental Disabilities National Health Law Program Orange Theory Fitness Rooted in Rights

State and Local Organizations

California

Marin Center for Independent Living

Connecticut

CT Cross-Disability Lifespan Alliance CT State Independent Living Council (CT-SILC)

Illinois

Alliance for Community Services Apostolic Faith Church Center on Halsted Central Synagogue of Chicago Chicago Disability Activism Collective Church of the Three Crosses **Citizens Utility Board Edgewater Reads Elderworks Educational Services** Organizing Neighborhoods for Equality: Northside (ONE Northside) **Roustabout Media** Springfield Center for Independent Living (SCIL) St Paul's House The Habitat Company **Thomas Clark Law** Thresholds Wellington Ave. United Church of Christ

Iowa Heart of Iowa Democratic Socialists of America (DSA)

Maryland

Baltimore County Green Party Healthcare is a Human right Maryland

New Jersey Stockton University Disability Studies

New York

Physicians for a National Health Program New York Metro Chapter

Oregon

Allies, LLC Eastern Oregon Center for Independent Living (EOCIL) Lane Independent Living Alliance (LILA) Umpqua Valley disAbilities Network

Pennsylvania

Disability Options Network Education Rights Network Pennsylvania Together The Good Peoples Group Tuesdays With Toomey

South Carolina

Indivisible Charleston

Utah Salt Lake County Democratic Progressive Caucus

Washington Disability Rights Washington

Wisconsin

Disability Rights Wisconsin Forward Fox Valley Indivisible Madison Indivisible WI06 To: Majority Leader Mitch McConnell Minority Leader Charles Schumer

> Speaker Paul Ryan Minority Leader Nancy Pelosi

Senate HELP Committee – Senator Lamar Alexander, Chair Senator Patty Murray, Ranking Member

House Energy and Commerce Subcommittee on Health Representative Michael Burgess, Chair Representative Gene Green, Ranking Member

House Judiciary Committee Subcommittee on The Constitution and Civil Justice Representative Steve King, Chair Representative Steve Cohen, Ranking Member

Dear Senators and Representatives,

We, the undersigned disability rights attorneys, represent a significant cross-section of disability advocates. We have among us, and in some cases individually, decades of experience advocating for the independence and equality of people with disabilities. We are writing in support of the Disability Integration Act, re-introduced in this Congress as S. 910 and H.R. 2472. This important, bipartisan civil rights legislation secures for Americans with disabilities and seniors the Constitutional right to liberty which is promised to all Americans.

The Disability Integration Act builds on the Supreme Court's 1999 decision Olmstead v. L.C., but more than a quarter century after the signing of the Americans with Disabilities Act (ADA) of 1990, and eighteen years after Olmstead, unwanted institutionalization continues to be a serious problem for people with disabilities and seniors. This issue was documented in the HELP Committee report: "Separate and Unequal: States Fail to Fulfill the Community Living Promise of the Americans with Disabilities Act". That report recommended that Congress amend the ADA to clarify and strengthen the law's integration mandate in a manner that accelerates Olmstead implementation and clarifies that every individual who is eligible for LTSS under Medicaid has a federally protected right to a real choice in how they receive services and supports. The report and this recommendation were well received by the Disability Community.

Although the Disability Integration Act does not amend the ADA, the legislation, modeled on the ADA and the ADA Amendments Act, strengthens Olmstead's integration mandate and creates federal civil rights law which addresses the civil rights

issue that people with disabilities who are stuck in institutions cannot benefit from many of the rights established under the ADA. It not only enshrines in Federal statute the right to live in the community which Olmstead recognized, it takes what disability advocates have learned over the past eighteen years and creates another more powerful tool to effect the integration of people with disabilities.

We call on you as members of Congress to pass the Disability Integration Act and to call for the President to sign it into law.

Thank you,

Steve Gold, JD.

Prof. Samuel Bagenstos, J.D. - Frank G. Millard Professor of Law at the University of Michigan (Previously Principal Deputy Assistant Attorney General for Civil Rights at the U.S. Department of Justice)

Alison Barkoff, J.D. - Director of Advocacy, Center for Public Representation (previously Special Counsel for *Olmstead* Enforcement at the U.S. Department of Justice's Civil Rights Division)

Curtis L. Decker, J.D. - Executive Director of the National Disability Rights Network

Vanita Gupta, J.D. - CEO, Leadership Conference on Civil and Human Rights (previously Principal Deputy Assistant Attorney General and head of the U.S. Department of Justice's Civil Rights Division)

Jennifer Mathis, J.D. - Deputy Legal Director and Director of Policy and Legal Advocacy of the Judge David L. Bazelon Center for Mental Health Law

Silvia Yee, Esq. - Senior Staff Attorney, Disability Rights Education and Defense Fund

James Weisman, Esq. - President & CEO United Spinal Association

A. Adam Prizio, Esq. - New York

A.J. Ruben, Esq. - Disability Rights Vermont

Amy Phalon, Esq. - Murray Plumb & Murray

Amy Robertson, Esq. - Civil Rights Education and Enforcement Center

Andrew Milne, Esq. - Disability Rights Center - New Hampshire

Ariel Linet, Esq. - Disability Rights Maine

Barry C. Taylor, J.D. - Equip for Equality

Ben Sahl, Esq. - Disability Rights Center - New Hampshire

Caitlin Parton, Esq. - Disability Law Center Christine Griffin, Esq. - Disability Law Center Corye Dunn, Esq. - Disability Rights NC David A. Kahne, Esq. - Law Office of David A. Kahne David C. Fleurant, Esq. - Disability Law Center of Alaska David Gates, Esq. Diane Coleman, J.D. - Not Dead Yet Edward L. Myers, Esq. Ellen Hahn, Esq. Eric A. Evans, Ph.D. - Disability Rights Nebraska Frank J. Laski, Esq. Gloria Prevost, Executive Director - Protection and Advocacy for People with Disabilities, Inc. (South Carolina) Gretchen Knauff, Executive Director - Disability Rights Connecticut Howard A. Rosenblum, Esq. - National Association of the Deaf Jane A. Moore, J.D. - Disability Rights Maine Jane Hudson, J.D. - Disability Rights Iowa Jasmine E. Harris, Acting Professor of Law - UC Davis School of Law Jo Anne Simon, Esq. - Jo Anne Simon, P.C. **Joseph Young, Esq.** - Disability Rights New Jersey Judith Abbott Gran, Esq. - Reisman Carolla Gran LLP Julia M. Brown, Esq. - Disability Rights Maine Kathleen M. Flaherty, Esq. - Connecticut Legal Rights Project, Inc. Kathryn Carroll, Esg. - Center for Disability Rights Kay Marilyn Kenton, J.D. Kevin M. Cremin, Esg. - Mobilization for Justice Kevin W. Williams, Esq. - Colorado Cross-Disability Coalition **Kim Moody, Executive Director** - Disability Rights Maine Kirk W. Lowry, J.D. - Connecticut Legal Rights Project Kristin L. Aiello, Esq. - Disability Rights Maine Laura J. Waterland, Esg. - Disabilities Law Program of Community Legal Aid Society Lauren Wille, Esq. - Disability Rights Maine Lee Awbrey, Esq.

Lourdes I. Rosa-Carrasquillo, Esq. - The Center for Independence of the Disabled-NY Maisha Elonai, Esq. - Liberty Resources, Inc. Maria Michelle Uzeta, Esq. - Law Office of Michelle Uzeta Marjorie Rifkin, Esg. - Disability Rights DC Mary Anne Harvey, Executive Director - Disability Law Colorado Mary J. Goodwin-Oquendo, Esq. - Jo Anne Simon PC Mary M. McKenzie, Esq. - Public Interest Law Center Meghan Marsh, Esq. - Disability Rights Maryland Michael Churchill, Esg. - Public Interest Law Center Michael Gilberg, Esq. Michael W. Thornton, Esg. Nancy B. Alisberg, Legal Director - Disability Rights Connecticut Nell Brimmer, Esq. - Disability Rights Maine Patricia Barbosa, Esg. - Barbosa Group Peri Jude Radecic, Esq. - Disability Rights Pennsylvania Peter M. Rice, Esq., Legal Director - Disability Rights Maine Richard LaVallo, Esq. - Disability Rights Texas Ruby Moore, Esq. - The Georgia Advocacy Office Sally R. Zanger, Attorney at Law - Connecticut Legal Rights Project Samantha Crane, Esq. - Autistic Self Advocacy Network Sarah W. Mitchell, J.D. - Disability Advocate/Consultant Sean Pevsner, Esq. - Whitburn & Pevsner, PLLC Staci K. Converse, Esq. - Disability Rights Maine Stephanie Woodward, J.D. - Center for Disability Rights (NY) Stephen Feldman, Esq. Susan Given, Executive Director - Disability Rights of West Virginia Susan Stefan, Esq. Therese Yanan, Esq. - Native American Disability Law Center, Inc. Thomas H. Earle, Esq. - Liberty Resources **Tom Masseau, Executive Director** - Disability Rights Arkansas Travis W. England, Esg. - National Center for Law and Economic Justice



The Honorable Mitch McConnell 317 Russell Senate Office Building Washington, DC 20510

The Honorable Chuck Schumer 322 Hart Senate Office Building Washington, DC 20510 The Honorable Paul Ryan 1233 Longworth House Office Building Washington, DC 20525

The Honorable Nancy Pelosi 233 Cannon House Office Building Washington, DC 20515

Date: May 14, 2018

Re: Support of Disability Integration Act of 2017, S.910; H.R. 2472

Dear Leaders McConnell and Schumer, Speaker Ryan and Leader Pelosi:

The undersigned member organizations of the Consortium for Citizens with Disabilities (CCD) are writing to reiterate our support of the Disability Integration Act ($\underline{S. 910}$, <u>H.R. 2472</u>). This legislation, if passed, would ensure the rights of people with disabilities to live full and independent lives in their communities.

CCD is a coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration, and inclusion of the approximately 57 million children and adults with disabilities in all aspects of society.

The undersigned organizations endorse the Disability Integration Act's goals of ensuring that millions of Americans with disabilities have access to services they need to live in the community and of removing the institutional bias in critical Federal programs. This bill builds on the Americans with Disabilities Act and the Supreme Court's *Olmstead* decision, and asserts that people with disabilities have a right to live in their own homes and communities and to receive the services and supports they need to do so.

For too many years, thousands of people with disabilities have been isolated and segregated in institutional settings, where they lose the opportunity to be full participants in society. As the Supreme Court observed in *Olmstead v. L.C.*, "confinement in an institution severely diminishes the everyday life activities of individuals, including family relations, social contacts, work

options, economic independence, educational advancement, and cultural enrichment,"¹ and furthermore, institutionalizing people who could live in community settings "perpetuates unwarranted assumptions that persons so isolated are incapable or unworthy of participating in community life."²

While we have made progress in recent years in expanding home and community-based services for individuals with disabilities, many thousands of people with disabilities remain in institutional settings when they could and should have the opportunity to live, work, and receive services in their own homes and communities. The Disability Integration Act would complement the ADA and accelerate the pace of people with disabilities leaving institutions, including by describing with specificity steps that must be taken by states and providers of insurance covering long-term services and supports to achieve community integration.

We urge Congress to pass the Disability Integration Act (S. 910; H.R. 2472) and affirm the right of people with disabilities to live independently and be full participants in their communities. Please contact Dara Baldwin, MPA, Senior Public Policy Analyst, National Disability Rights Network (NDRN) at <u>dara.baldwin@ndrn.org</u> or 202-408-9514 ext. 102 with any questions.

Sincerely,

The Advocacy Institute Allies for Independence American Association on Health and Disability American Association on Intellectual and Developmental Disabilities American Association of People with Disabilities American Civil Liberties Union American Foundation for the Blind The Arc of the United States Association of Assistive Technology Act Programs Association of People Supporting Employment First American Therapeutic Recreation Association Association of University Centers on Disabilities

¹ 527 U.S. 581, 583 (1999).

Autistic Self Advocacy Network Autism Society of America Bazelon Center for Mental Health Law Brain Injury Association of America Center for Public Representation Christopher & Dana Reeve Foundation Disability Rights Education and Defense Fund **Epilepsy Foundation** Institute for Educational Leadership Justice in Aging Lutheran Services in America Disability Network National Academy of Elder Law Attorneys National Association of Councils on Developmental Disabilities National Association of State Head Injury Administrators National Council on Aging National Council on Independent Living National Disability Rights Network National Down Syndrome Congress National Organization of Nurses with Disabilities National Multiple Sclerosis Society National Respite Coalition Paralyzed Veterans of America Parent to Parent USA TASH United Cerebral Palsy United Spinal Association



MARY KAY HENRY International President

GERRY HUDSON International Secretary-Treasurer

> NEAL BISNO Executive Vice President

> LUISA BLUE Executive Vice President

> HEATHER CONROY Executive Vice President

> SCOTT COURTNEY Executive Vice President

> LESLIE FRANE Executive Vice President

> VALARIE LONG Executive Vice President

> ROCIO SÁENZ Executive Vice President

SERVICE EMPLOYEES INTERNATIONAL UNION CTW, CLC

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September 22, 2017

National ADAPT 1640-A E. 2nd Street Suite 100 Austin, TX 78702

Dear ADAPT Community:

The Service Employees International Union (SEIU) supports the Disability Integration Act (S.910/HR.2472), bi-partisan, bi-cameral legislation that ensures full community integration for Disabled Americans.

More than 25 years after the signing of the *Americans with Disabilities Act* (ADA), individuals with disabilities who need long term services and supports continue to face barriers to community integration. Americans with disabilities must not be denied the option to receive services and supports they need to live independently and as active members of their communities.

As a union representing hundreds of thousands of home care workers, we know first-hand that the availability of an adequate workforce is essential to ensuring that individuals with disabilities have the choice to receive services and supports in their homes and community. For that reason, we especially appreciate recognition that the failure to establish adequate payment rates and structures for the home and community based workforce, including home care workers, creates barriers to our shared goal of community integration.

SEIU supports the Disability Integration Act and urges Congress to move forward with passing this important civil rights legislation for Americans with Disabilities.

Sincerely,

Henry International President

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