



CPSD
Real lives. Real work.

Collaboration
to Promote
Self-Determination

April 29, 2015

Representative Tom Cole
Chair, Subcommittee on Labor,
Health & Human Services,
Education and Related Agencies
Committee on Appropriations
2467 Rayburn House Office Bldg.
Washington, D.C. 20515

Representative Rosa DeLauro
Ranking Member, Subcommittee on Labor,
Health & Human Services,
Education and Related Agencies
Committee on Appropriations
2413 Rayburn House Office Bldg.
Washington, D.C. 20515

Dear Chairman Cole and Ranking Member DeLauro:

On behalf of the Collaboration to Promote Self-Determination (CPSD), we write to urge you to continue appropriations to the Department of Health and Human Services (HHS) for activities promoting community integration for individuals with disabilities.

CPSD is a national, family-driven and consumer-led advocacy network of 22 national organizations. These organizations have come together to bring about a significant modernization of the federal system of services and supports for persons with disabilities. We focus on high-impact public policy and systems reform to improve the employment and socio-economic outcomes of citizens with intellectual and developmental disabilities promoting the effective transition of students with developmental disabilities into adulthood by preparing them to obtain optimal outcomes in education, employment, economic advancement, and independent living.

Many of the activities that have led to successful inclusion of people with disabilities in jobs, living in their own homes and enjoying the benefits of full participation in society have come about because of programs, regulations and policies from Health and Human Services (HHS), the Centers for Medicare and Medicaid Services including and the rules concerning home and community-based services (HCBS), as well as those of HHS component agencies such as the National Council on Disability and the Administration on Intellectual and Developmental Disabilities and its grantees. This also includes implementation and enforcement of the Americans with Disabilities Act and its integration mandate— core to the CPSD mission and supported broadly and passionately by the disability community. These are some of most essential rules and regulations for improving the lives, independence, and well-being of individuals with disabilities.

We were recently alerted to the efforts of an organization that has urged its members to demand language in the Labor, HHS, Education and Related Agencies appropriations bill that would stymie efforts toward integration and independence by prohibiting the use of HHS funds for any activities

that might downsize Medicaid-funded institutions serving individuals with intellectual disabilities. This effort is contrary to the strides we have made as a nation and counter to the Supreme Court's landmark decision in *Olmstead v. L.C.*, a critical civil rights decision for the disability community.

Enforcement of the ADA's integration mandate and the *Olmstead* decision are top priorities for CPSD and the greater disability community. *Olmstead* enforcement has been pivotal to the lives of people with disabilities, resulting in a historic level of independence. Thousands of individuals with disabilities have, for the first time, been given the opportunity to live in their own homes and communities, with privacy, dignity, and independence, and they have finally been afforded the opportunity to participate fully in society. Likewise, implementation of new rules in regard to Medicaid-financed home and community-based services are critical to ensuring that disability service systems support the community-based services and supports overwhelmingly favored by people with disabilities and their families.

Additionally, both enforcement of *Olmstead* and implementation of the Medicaid home and community-based services rules do not deny individuals the choice to live in an institution. Rather, under both *Olmstead* and the Medicaid rules, there is now an option for thousands of individuals with disabilities and their families to *opt* for a home and community-based service settings—a choice that was not previously available to many, but is often ideal.

Any implication that individuals with disabilities are being forced to move to a community setting against their wishes undermines the progress made by the community in recent decades- the choice of settings must be preserved through enforcement of HHS rules and *Olmstead*. Prohibiting enforcement of regulations governing HCBS settings through the appropriations process would be a devastating step backward for individuals with intellectual disabilities by stripping them of choice and forcing many back into segregated settings. CPSD urges you to exclude any language to this affect in the appropriations bill.

People with disabilities have made incredible strides toward integration and the opportunity to live, work, and receive services in integrated settings. These life-changing successes must be preserved. We appreciate this opportunity to share our appropriations priorities. Please feel free to contact Kuna Tavalin (ktavalin@wpllc.net), who would be happy to provide additional information at any time.

Sincerely,

Association of People Supporting Employment First
Association of University Centers on Disabilities
Autistic Self Advocacy Network
Council of Parent Attorneys and Advocates, Inc.
National Association of State Directors of Developmental Disabilities Services
National Disability Rights Network
National Down Syndrome Congress
National Down Syndrome Society
National Fragile X Foundation
National Organization on Disability
Service Employees International Union
TASH
The Autism Society