



20 | years

2000 |

WHAT IS THE STORY?

Two women with disabilities lived in Georgia. They lived in a nursing home. They did not like it.

They wanted to live in the community. They believed their life would be better in the community.

Their staff believed in them. Their staff wanted them to live in the community too.

The women told the State they wanted to move. The State said no. The woman decided to fight the State.

They found a lawyer. The lawyer helped them.

Their lawyer looked at the American with Disabilities Act (ADA). It said we all have the same rights. He believed the Act wanted everyone to live in the community.

Their lawyer went to court for the two women. He went all the way to the Supreme Court. The lawyer told the Supreme Court that the Act wants everyone to live in the community. The

Supreme Court thought about what he said. They made a decision in 1999.

They agreed with the lawyer.

People should live in the community. This decision is called the Olmstead decision.

WHY IS THE DECISION IMPORTANT?

The decision helped the two women. It

helped the people they lived with. It

helped all people with disabilities.

The Court said, "Staff said the two women could live in the community. Staff said they could be successful. They should be given the choice to live in the community."

That means **everyone** has the right to choose.

People should not be forced to live in a nursing home or institution.

People must be given the choice to live in the community.

WHAT DOES IT MEAN TO ME?

Discrimination of people with disabilities is wrong.

Discrimination is making people stay in an institution if they do not need to be there.

You should be given the choice to live in the community.

Your services and supports should meet your needs.

If you don't need an institution or nursing home, you don't have to stay.

WHAT ARE THE DETAILS?

The Olmstead case asked, "Does the American's with Disabilities Act apply to services paid for by the government?"

The answer is yes.

A part of the ADA says that you cannot keep people out of the community.

The Supreme Court said that you cannot discriminate against people.

They also said you cannot use government money to keep people in nursing homes or institutions if they do not belong there.

Congress told the Attorney General for the United States to make some rules.

These rules are being called the integration mandate.

The rules say that government must offer services in the community based upon people's needs.

The rules also say that government needs to change their rules so they do not discriminate and hurt people.

YOUR RIGHTS

The Supreme Court said that the ADA is a law about civil rights. That means your rights as a person.

Everyone in the court agreed that discrimination of people with disabilities is wrong.

Discrimination includes keeping people separate, alone and in institutions or nursing homes.

The Supreme Court decided that it is discrimination to make people stay in an institution or nursing home if they do not need to be there.

They said it is against the law to make people stay in an institution or nursing home against their choice.

DOES YOUR STATE KNOW ABOUT THE DECISION?

The Supreme Court said that states should write a plan to help people live in the community.

The plan should say that the state will do two things: 1.

Make more choices in the community for people;

2. Help people get supports in the community without waiting too long.

WHO TOLD MY STATE?

There is a new director for Medicaid.

Medicaid is a major funder of services for people with disabilities.

Medicaid is the Health Care Finance Administration (HCFA).

HCFA is in Washington, DC.

HCFA wrote a letter to each state after the Olmstead decision.

The letter asked each state to make more community services.

The letter asked the states to make a plan to help people to make choices and get the support they want and need.

DOES THE FEDERAL GOVERNMENT SUPPORT THIS?

YES! Donna Shalala runs the Department of Health and Human Services for the United States. Medicaid is part of this agency.

She works for the President.

Donna agrees with the Olmstead decision.
She gave a speech to the state legislators.

Donna said that no American should have to live in a nursing home or state institution, if they can do okay in the community with supports.

She also said that you have the right to be with family and friends in the community.

Donna said that you have a right to make a living.
She also said that this will take time.

Donna said that we need to be creative and work together.

WHAT CAN YOU DO?

Celebrate the American Disabilities Act 10th Anniversary in 2000!

HOW SHOULD YOU CELEBRATE?

Join people from the disability community.

Decide you want to help people live in the community.

Decide you are going to do something in 2000.

WHAT WILL YOU DO?

What are three things that you can do to help?

1. _____

2. _____

3. _____

What are three things your Self-Advocacy Chapter could do to help?

1. _____

2. _____

3. _____

SUGGESTIONS AND IDEAS:

Tell your state legislator how you feel.

Write a letter to the State people.

Send a letter to your state Medicaid agency.

Visit people in institutions.

Help people start a self-advocacy chapter.

Teach people about their rights.