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STATE HUMAN SERVICES: Judge blocks cuts for disabled

BY RUBEN ROSARIO
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A federal judge in Minneapolis has temporarily blocked state and county officials from denying or cutting services to residents with developmental disabilities.

The restraining order, filed Monday by U.S. District Court Judge John Tunheim, came in response to a lawsuit filed March 11 that challenged the state's decision to cap payments this year to individuals, group homes and others that provide home- and community-based services to tens of thousands of disabled Minnesotans.

The state's Department of Human Services, which administers and matches federal funds for such services dollar for dollar, limited spending growth to 7 percent per recipient this year in an attempt to keep costs in check.

The lawsuit, filed by the Association of Residential Resources in Minnesota and the mother of an 11-year-old disabled youngster who was denied service, alleges the agency failed to comply with federal mandates that compel states to provide such services as an alternative to institutionalization. It also contends the agency's action was based on improper and insufficient data.

It is unclear if the order or lawsuit would have any effect on similar measures proposed by Gov. Tim Pawlenty to save the state \$55 million in the next two years.

Bruce Nelson, executive director of AARM, said some counties, informed of the state's decision in January, have denied home-based or group home-related services to several disabled residents.

"It is clear that cuts made in an administrative action in early

January, combined with cuts in the governor's budget, will further jeopardize the health and safety of people with disabilities," Nelson said. "It's simply not acceptable."

Wes Kooistra, deputy human services commissioner, said the agency will abide by the judge's wishes "while the court considers the facts."

Ruben Rosario can be reached at rrosario@pioneerpress.com or (651) 222-5266.