



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

April 28, 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 Chair Cole and Ranking Member DeLauro:

On behalf of the Consortium for Citizens with Disabilities (CCD) Rights Task Force, we write to express our strong support for continued appropriations to the Department of Health and Human Services for activities promoting community integration for individuals with disabilities. CCD is a coalition of national disability organizations working for national public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

The activities of HHS, including the Centers for Medicare and Medicaid Services' enforcement of its rules concerning home and community-based services, as well as those of HHS component agencies such as the Administration on Intellectual and Developmental Disabilities and its grantees—including implementation and enforcement of the Americans with Disabilities Act and its integration mandate—are widely supported and critically important to improving the lives, independence and well-being of individuals with disabilities.

We understand that one organization has urged its members to demand language in the Labor, HHS, Education and Related Agencies appropriations bill that would prohibit the use of HHS funds for any activities that might downsize Medicaid-funded institutions serving individuals with intellectual disabilities. Such language is extremely troubling and counter to the Supreme Court's landmark decision in *Olmstead v. L.C.*, often referred to as the *Brown v. Board of Education* of the disability community.

Enforcement of the ADA's integration mandate and the *Olmstead* decision is a top priority for the disability community. *Olmstead* enforcement efforts in recent years have brought some of the most significant improvements to the lives of people with disabilities in decades. Thousands of individuals with disabilities have, for the first time, been given opportunities to live in their own

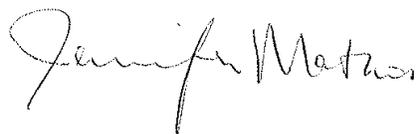
homes and communities, with privacy, dignity, and independence. They have been able to participate as full members of society.

Similarly, implementation of the new rules concerning Medicaid-financed home and community-based services is important to ensure that disability service systems support the community-based services and supports overwhelmingly favored by people with disabilities and their families.

Neither *Olmstead* enforcement nor implementation of the Medicaid home and community-based services rules deprives anyone of the choice to live in an institution. To the contrary, *Olmstead* and the Medicaid rules offer thousands of individuals and their families the *option* of choosing home and community-based service settings—an option that has been unavailable for far too long. No one is forced to move to a community setting against his or her wishes.

Inclusion of any language prohibiting the use of congressional appropriations for enforcement of regulations governing HCBS settings or for *Olmstead* enforcement or implementation would deprive people with disabilities of meaningful choices. We urge you not to include this language in the appropriations bill. People with disabilities have fought hard for decades for the opportunity to live, work, and receive services in integrated settings. Please do not take those options away.

Sincerely,



Jennifer Mathis
Bazelon Center for Mental Health Law



Mark Richert
American Foundation for the Blind



Dara Baldwin
National Disability Rights Network



Sandy Finucane
Epilepsy Foundation of America



Samantha Crane
Autistic Self Advocacy Network

Co-chairs, CCD Rights Task Force