

## **RESOLUTION NO.**

**WHEREAS**, millions of people with disabilities and older Americans currently need or will need long-term services and supports in order to live in their communities and this number is expected to grow at a rapid pace over the next three decades; and

**WHEREAS**, the current long-term care system is fragmented, overly medicalized, bureaucratic, and expensive, with an institutional bias that unnecessarily forces people with disabilities and older Americans into nursing homes and other institutions; and

**WHEREAS**, the Americans with Disabilities Act (ADA) was enacted 25 years ago, yet unwanted institutionalization remains a serious problem for seniors and people with disabilities. As a result, Congress must strengthen the goal of providing individuals with disabilities opportunities to live their lives like individuals without disabilities found in ADA's integration mandate in order to ensure all Americans have the right to lead an independent life with diverse care options; and

**WHEREAS**, in *Olmstead v. L.C.*, the U.S. Supreme Court ruled in 1999 that people have the right to services in the most integrated setting, yet implementation of this requirement is slow and needs to be accelerated; and

**WHEREAS**, a 2010 Harris Poll shows 94% of seniors and 89% of all Americans believe long-term services and supports provided in one's own home and community is preferable to that received in a nursing home or other institutional setting; and

**WHEREAS**, community based services are two thirds the cost of institutional care and have proven to save taxpayers money; and

**WHEREAS**, Community First Choice (CFC) is a voluntary program that allows states to provide home and community-based attendant services and supports to Medicaid recipients with disabilities, and has been adopted by only eight states. States that adopt CFC can secure federal funding, yet continue to maintain policies that limit access to services or fail to provide a real alternative to institutionalization, in opposition of the ADA integration mandate; and

**WHEREAS**, the Disability Integration Act of 2015 (DIA) has been introduced to the United States Senate, which clarifies that "every individual who is eligible for long-term services and supports has a federally protected right to be meaningfully integrated into that individual's community and receive community-based long-term services and supports;" and

**WHEREAS**, the DIA further requires the establishment of “a comprehensive State planning requirement that includes enforceable, measurable objectives that are designed to transition individuals with all types of disabilities at all ages out of institutions and into the most integrated setting”; **NOW**

**THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Council supports the federal government’s enactment of the Disability Integration Act of 2015 as introduced in the United States Senate.

**ADOPTED:** \_\_\_\_\_, 2016

**ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk