



Understanding Olmstead

**Theresa Armstrong
Bureau Chief
Community Services and Planning
Mental Health and Disability Services
June 17, 2013**

What is Olmstead?

- Olmstead v. L.C. and E.W. is the name of a federal lawsuit decided by the United States Supreme Court on June 22, 1999.
- Two Georgia women were ready to leave a state psychiatric hospital and were refused release because there were no community living options available to meet their needs.

What is Olmstead?

Interpretation of American with Disabilities Act (ADA)

ADA requires:

- Government programs and services be delivered in a way that do not discriminate against people with disabilities
- States administer their programs, services and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities

The Olmstead Decision

The Supreme Court finds:

- Unnecessary segregation of persons with disabilities is discrimination under the ADA.
- “Institutional placement of persons who can handle and benefit from community settings perpetuates unwarranted assumptions that persons so isolated are incapable of or unworthy of participating in community life.”
- “Confinement in an institution severely diminishes the everyday life activities of individuals, including family relations, social contacts, work options, economic independence, educational advancement, and cultural enrichment.”

The Olmstead Decision

States must provide community-based services to persons with disabilities when:

- Such services are appropriate;
- The affected persons do not oppose community-based treatment;
- The services can be reasonably accommodated, taking into account the state's resources and the needs of others receiving disability services.

Who is affected by the Olmstead decision?

- All individuals protected by the ADA
- Children, adults, and the elderly
- Individuals with all types of physical and intellectual disabilities and mental illnesses

Meaning of the Olmstead Decision

- A life in the community for everyone
- It is about where you live and how you live
- It is about how you spend your days
- Informed choices
- Opportunities for integration:
 - work and community involvement
 - learning and skill development
 - recreation and social interaction

States Respond

Each state must work to make community living options available to individuals

States have an obligation to:

- Present a full range of appropriate service options
- Assure individual rights and preferences are supported and respected

What does it mean for Iowa?

Building effective partnerships with community providers to preserve and expand community living options to achieve a *life in the community for everyone*

- State agencies
- Counties, local public housing authorities, parole officers, service providers, etc.
- Public and private health systems

The expectation that people can live successfully in their own homes and communities.

Conclusion

- The Department of Justice has taken action to enforce states' compliance with *Olmstead*.
- We all need to help strengthen community supports for people with mental illness, disabilities and chronic health conditions

