



January 15, 2019

SUPPORT THE DISABILITY INTEGRATION ACT

Dear Senator/Representative:

On behalf of The Leadership Conference on Civil and Human Rights (The Leadership Conference), a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the rights of all persons in the United States, we write to express our support for the Disability Integration Act.

The Leadership Conference believes that the community integration of people with disabilities is a civil rights issue. The Disability Integration Act would establish new federal law – similar in structure to the Americans with Disabilities Act (ADA) – requiring states and insurance providers that pay for Long Term Services and Supports (LTSS) to change their policies, provide community-based services first, and offer home and community-based services (HCBS) to people currently in institutions.

It has been nearly 30 years since the ADA was signed into law, and despite its 2008 amendments addressing integration in public accommodations, there has been nothing to protect or support individuals who need LTSS. Indeed, these individuals have not benefited from the advances that were made under the ADA because they have been forced into nursing facilities and other institutions. Unlike individuals who receive at-home or community-based services, individuals in institutions often cannot use accessible public transportation, get a job or request a reasonable accommodation, or use public accommodations that are now accessible under the ADA. As the Supreme Court stated in the seminal disability discrimination case *Olmstead v. L.C.*, which held that unnecessary institutionalization constitutes discrimination under the ADA, “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.”¹ It is time that federal law address this injustice and explicitly affirm the right of individuals with disabilities to receive at-home and community-based services and supports so these individuals can be integrated into society and lead independent lives.

The Disability Integration Act would assist the disability community, and the broader civil rights community, in more effectively mobilizing support for community integration. It embodies the right to independence for people with disabilities, and we strongly support this

¹ *Olmstead v. L.C.*, 527 U.S. 581, 601 (1999). See also National Council on Disabilities (2012). Deinstitutionalization: Unfinished Business.

https://www.ncd.gov/rawmedia_repository/NCD_UnfinishedBusiness_Paper_FINAL508.pdf.

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Vanita Gupta

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important bill. If you have any questions, please contact Mike Zubrensky, Chief Counsel, at (202) 466-3311 or zubrensky@civilrights.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Vanita Gupta". The signature is fluid and cursive, with a prominent initial "V" and a long, sweeping tail.

Vanita Gupta
President & CEO