



March 12, 2024

The Honorable Representative Susan R. Donovan
Chair of the House Committee on Health and Human Services
82 Smith Street
Providence, RI 02903

Re: Support for H-7821 - Olmstead Plan

Dear Chairwoman Donovan and Members of the Committee:

Thank you for the opportunity to express the Mental Health Association of Rhode Island's strong support for House Bill 7821, related to Rhode Island's Olmstead Plan. We thank Representative Bennett for introducing this legislation.

Olmstead refers to the U.S. Supreme Court's 1999 landmark ruling in *Olmstead v. L.C.*, which found that segregation of people with disabilities is discrimination under the Americans with Disabilities Act (ADA). Plaintiffs Lois Curtis and Elaine Wilson, both living with developmental disabilities, were forcibly institutionalized after treatment for mental illness because their state lacked a community-based program as an alternative to institutionalization. The court ruled that states have a legal obligation to ensure that individuals with disabilities have the opportunity to live, work, and receive services in the community in the least restrictive setting permitted by their disabilities.

States demonstrate their intention to comply with the ADA by developing Olmstead Plans. Plans are roadmaps; they help states assess and plan for the resources needed to prevent the unnecessary institutionalization of people with disabilities. Currently, Rhode Island is one of six states that does not have any such plan. The absence of an Olmstead Plan makes it difficult for Rhode Island to comply with the Americans with Disabilities Act.

In July 2022, we were excited that Governor McKee committed to establishing an Olmstead Plan in Rhode Island. MHARI and our community partners are encouraged that the Rhode Island Executive Office of Health and Human Services has hired two staff members to assess the state's supply and demand of supportive housing, educational and employment supports, transportation, home care services, and other resources needed by people with disabilities. They have conducted dozens of informational interviews with organizations and people with lived experience and will soon hold community listening sessions. Soon, we hope, the state will invite community partners to help draft the plan.



This legislation before you is important and necessary. It makes permanent Rhode Island's forthcoming Olmstead Plan, and it codifies into state law the qualities that make a plan legitimate and effective. It requires that Rhode Island's plan be renewable, regularly updated, and data-driven. It calls for key community partners (representing people with lived experience) to sit on the planning commission, sets deadlines to ensure accountability, and requires significant community input. A plan that lacks these qualities will not be effective.

We are all Olmstead. Each of us has a stake in this because we could face disease or disability at any point in our lives, putting us at risk of unnecessary institutionalization. An Olmstead Plan would give every Rhode Islander the chance to live their best life.

Thank you for your consideration. Please let me know if you have any questions.

Respectfully,

A handwritten signature in black ink that reads 'Laurie-Marie Pisciotta'.

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