

Report: Cost-Effective *Olmstead* Principles Are Necessary for Healthcare Reform, Civil Rights

Washington, DC, June 24, 2009 – The Bazelon Center for Mental Health Law asserts in a report issued today that implementing the principles of the landmark *Olmstead* [Supreme Court decision](#) would have a dramatic impact on health care reform and the economy. The report was released in celebration of the 10th anniversary of *Olmstead* at a press briefing at the National Press Club.

A call to action, the report details how federal and state governments can use community-based services and supports for people with mental illnesses to save billions of dollars and improve healthcare outcomes.

The Supreme Court ruled in its 1999 *Olmstead* decision that under the Americans with Disabilities Act (ADA), public services for people with disabilities must be provided in the most integrated setting possible, giving them the opportunity to live independently in the community and not segregated in institutional settings. For more, see one-page overviews (PDFs), [What Is *Olmstead*?](#) and [Why *Olmstead* Matters.](#)



Main points of the report include:

- States must determine how many people with disabilities are served in unnecessarily segregated settings and what community-based services are necessary to support reintegration and recovery. They then must shift funding from institutions to community-based services.
- Implementing *Olmstead* programs through health care reform would save billions of taxpayer dollars by making essential community services available to people with mental illnesses.
- Often pressured by profit-making providers, states continue to waste valuable resources by placing people with mental illnesses in costly, ineffective institutional settings. The cost of a supportive apartment is one eighth that of state hospital care, just over a third of the cost in a board-and-care facility.
- It is critical to promote Supreme Court and other judicial nominees who have an understanding of and intention to uphold *Olmstead*, the ADA and other civil rights laws.

“On this pivotal anniversary of *Olmstead*, we must take a hard look at what really needs to be accomplished to adequately serve millions of people with mental illnesses so that they receive the most integrated care possible. [We are encouraged by President Obama’s statement of commitment](#) on Monday to *Olmstead*’s civil rights and community integration mandates, and we hope that the release of this report spurs additional action,” said Robert Bernstein, Ph. D, executive director of the Bazelon Center for Mental Health Law.

Presenters at the press briefing spoke to the success of *Olmstead* programs, such as supportive housing, illness self-management and recovery, case management and crisis residential services. Lois Curtis, a plaintiff in the original *Olmstead* case, and Irene Kaplan, a witness in the current *DAI v. Paterson* case challenging “adult homes” in New York, each told moving tales of integrating into the community after spending years in institutional settings.

Ira Burnim, legal director at the Bazelon Center, spoke about *Olmstead* litigation during the past decade and what the federal government and states can do to implement the historic decision. Robert Bernstein, executive director of the Bazelon Center, highlighted the 10th Anniversary call to action, detailing specific steps that Congress, federal agencies and the states should take to create community-based care models. He also described how *Olmstead* programs can guide healthcare reform and save billions of taxpayer dollars.

“We have only seen progress toward implementing *Olmstead* principles in the past decade through litigation. It is time for

states to follow the integration mandate given by the ADA and reinforced by the Supreme Court. They must work to ensure that robust mental health services and supports are available for people with psychiatric disabilities who wish to return to a normal role in their communities after being segregated in institutions,” said Ira Burnim, legal director of the Bazelon Center for Mental Health Law.

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