

Bazon Supports Agreement that Commits Georgia to Improving Community Services for People with Disabilities

May 18, 2016 - The State of Georgia and the United States Department of Justice today filed in federal district court an agreement to expand the capacity and improve the quality of community-based services the State provides to individuals with developmental disabilities and mental illnesses. This "Extension Agreement" builds upon commitments the State made to overhaul its systems for providing services to these individuals in a 2010 settlement agreement to resolve the Department's claims that Georgia was violating the Americans with Disabilities Act.

Stakeholders known as "the Amici," or friends of the court, participated in crafting the terms of the Extension Agreement. The Bazon Center represents nearly a dozen Georgia mental health groups and advocates, including the Carter Center Mental Health Program, Mental Health America of Georgia, Georgia Mental Health Consumer Network, Georgia Parent Support Network, Georgia Council on Substance Abuse, Atlanta Legal Aid Society's Disability Integration Project, the National Alliance on Mental Illness-Georgia, and individuals Cynthia Wainscott and John Gates. The Georgia Advocacy Office, the independent Protection and Advocacy System for people with disabilities in Georgia, is also an amicus in the case.

The Extension Agreement commits the State to taking additional steps to address the areas where the Department of Justice and an independent reviewer found the State had not complied with the terms of the 2010 settlement agreement. For people with serious mental illness, the State has committed to expand its successful supported housing program, which provides housing resources and voluntary supportive services to help individuals with mental illness successfully live in the community. The State will assess the need for supported housing and develop capacity based on that assessment, provide new housing subsidies each year of the Extension Agreement, and improve its process for referring people who need supported housing.

"The mental health community appreciates the State's ongoing commitment to expanding and improving its successful supported housing program," said Alison Barkoff, the Bazon Center's Director of Advocacy. "Supported housing, together with access to the community services and supports the State developed under the 2010 Settlement, is critical to ensuring that people with mental illness can live full and successful lives in the community."

The State has committed to improve its system for providing services to people with developmental disabilities by:

- Transitioning individuals with developmental disabilities from state hospitals to the community, using an improved transition process with enhanced post-move monitoring;
- Implementing a "high risk surveillance list" for individuals who have transitioned from state hospitals since 2010 to identify and immediately respond to gaps in services and medical and behavioral risks;
- Creating a statewide clinical oversight program to provide targeted expertise, technical assistance and oversight to community providers, support coordinators, and medical professionals who provide services to individual with developmental disabilities who have complex medical or behavioral needs;

- Improving the state's support coordination system to ensure that individuals with developmental disabilities receive the services and supports they need to live full lives of their choosing integrated into the community;
- Addressing how crisis respite homes will be used;
- Providing new waivers each year of the Extension Agreement to individuals with developmental disabilities on the waitlist; and
- Improving its quality management system and recruiting additional providers to serve people with developmental disabilities and complex needs.

"We are pleased that the State and Department of Justice worked collaboratively with stakeholders to develop a plan to ensure that all people with developmental disabilities, including people with significant support needs, have the opportunity to live good lives in the community," said Ruby Moore, Executive Director of the Georgia Advocacy Office.

The Extension Agreement will continue to be monitored by Elizabeth Jones, the independent reviewer for the 2010 agreement. The parties have requested that the court approve the Extension Agreement and retain jurisdiction to enforce it.

U.S. District Court Judge Charles Pannell will review the Extension Agreement and, if he finds it adequate, approve it as an order of the court. The Amici look forward to working with the State, Department of Justice, and independent reviewer in implementing the Extension Agreement to improve the lives of thousands of Georgians with developmental disabilities and mental illnesses.