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SERVICES FOR PEOPLE WITH DISABILITIES NEEDED

In light of the announcement of an historic settlement agreement between the United States Department of Justice and the Commonwealth of Virginia today, the Virginia Office for Protection and Advocacy urges swift implementation of much-needed reforms of the service system for individuals with developmental disabilities.

In February 2011, the Department of Justice found that conditions in Virginia's state-operated institutions for people with intellectual and developmental disabilities violate constitutional standards. DOJ also concluded that the inadequate system of community services and supports for persons with disabilities in Virginia violates the Americans with Disabilities Act. The lack of such services, DOJ concluded, forces people to remain in overly restrictive settings like training centers.

Today, the Commonwealth and DOJ announced a comprehensive settlement of the concerns raised in the DOJ findings. The agreement requires the addition of thousands of Medicaid waiver slots, necessary to enable people with disabilities to transition from training centers and for those already in the community to receive the services they need. The agreement mandates the creation of crisis response services, enhances case management services for all individuals covered by the agreement, and requires integrated housing. The agreement calls for the closure of four of the state's five training centers by 2020. The parties agreed to an independent reviewer to evaluate the state's compliance with the terms of the agreement.

"People with disabilities in Virginia have long been denied the services they deserve," said Colleen Miller, the Executive Director of the Virginia Office for Protection and Advocacy. "This settlement agreement, while not perfect, goes a long way to correcting that historic wrong."

Under the Americans with Disabilities Act's integration mandate, states are required to provide services to people with disabilities in the most integrated setting possible. "For people with intellectual disabilities, there is wide agreement that the most integrated setting is community-based services and supports, not institution-based services. Virginia must now end its reliance on isolated and segregated settings like training centers," Miller said. "This is a fundamental civil rights issue for people with disabilities."

VOPA is an independent state agency; it serves as the state's designated protection and advocacy system. VOPA's mission is to combat abuse and neglect, to promote the civil rights of people with disabilities throughout the Commonwealth, and to encourage that people with disabilities have choice, independence and inclusion in all aspects of their lives.

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