

ADAPT Action - Washington DC

February 2005

Dear NGA Members:

This is a resolution that ADAPT activists are proposing that the National Governors Association vote on and pass at the winter NGA conference.

Over two million people with disabilities, old and young, with physical, mental and cognitive disabilities are warehoused in nursing homes and other institutions because of the lack of home and community services. ADAPT believes the NGA and each individual Governor play an integral part in the reforming of this institutionally biased long term care system.

- The ADAPT Community

RESOLUTION

Commitment To Community-based Long Term Care Services and Support

WHEREAS millions of people with disabilities and older Americans currently need or will need long term services and supports to live in the community; and

WHEREAS the current long term care system is fragmented, overly medicalized, bureaucratic, expensive with an institutional bias that unnecessarily places people with disabilities and older Americans in nursing homes and other institutions; and

WHEREAS the Supreme Court in the *Olmstead v LC & EW* decision ruled in 1999 that people have the right to services in the most integrated setting; and

WHEREAS the American public overwhelmingly wants long term care services and supports in their own home and communities; and

WHEREAS the reform of the long term care system must be a cooperative partnership between the federal government, the states and the disability/older community,

THEREFORE BE IT RESOLVED that the National Governors Association, NGA, by a vote of the membership and the Executive Committee supports the following:

- A)** The current long term services and support system has an institutional bias that must be reformed through a cooperative effort by the federal government, the states and the disability/older community; and
- B)** The long term services and support system must include the principles that home and community services and supports are the first priority and that support services should be provided in the most integrated setting; and
- C)** No person with a disability or older American should be forced into a nursing home or other institution because of the lack of community options; and
- D)** People with disabilities and older Americans must integrally participate in the design, implementation and review of the long term services and support system; and

BE IT FURTHER RESOLVED that the NGA supports the passage and funding of the Medicaid Community Attendant Services and Supports Act, MiCASSA (currently S. 401 and HR 910) and legislation that include the Money Follows the Person initiative; and

BE IT FURTHER RESOLVED that the NGA work with the individual states to assure that the Supreme Court's Olmstead decision is aggressively implemented and that the measure of this implementation be, in a year, how many people have gotten out of nursing homes and other institutions and how many people have been diverted from nursing homes and other institutions; and

BE IT FURTHER RESOLVED that the NGA work with the states to assure that any 1115 waivers submitted by a State should have statewide public hearings before development and submission to HHS, and that the 1115 waiver process should not be used to undercut current community Medicaid services and federal protections; and

BE IT FURTHER RESOLVED that the NGA supports reform of the long term services and support system that does not result in block granting funding to the states and removal of the current national Medicaid protections.

Passed this first day of March, 2005

