Background on the Olmstead Decision

The U.S. Supreme Court’s 1999 landmark decision in *Olmstead v. L.C.* (Olmstead) found the unjustified segregation of people with disabilities is a form of unlawful discrimination under the Americans with Disabilities Act (ADA) and that individuals with disabilities must receive services in the most integrated setting appropriate to their needs. This principle is central to the Supreme Court's Olmstead decision.

The Olmstead decision fundamentally changed the way our country approaches disability rights and opened doors for millions of Americans to live the lives we want to live, in the community, alongside people of all ages, with and without disabilities.

The Court held that states are required to provide community-based services for people with disabilities who would otherwise be entitled to institutional services when: (a) such placement is appropriate; (b) the affected person does not oppose such treatment; and (c) the placement can be reasonably accommodated, taking into account the resources available to the state and the needs of other individuals with disabilities.

As a result of this court decision and enforcement activities, many individuals have transitioned from an institution to the community, and many individuals have avoided unnecessary institutionalization.  For example:

* Individuals who had been institutionalized for decades are now receiving services in their community;
* Individuals who lost their housing and/or community-based supportive services when they were forced to enter institutions due to an acute health care problem have had the needed services provided or restored;
* Individuals with disabilities are able to access home and community-based services through Medicaid "Waiver" programs;
* Increased hours of personal care and assistance are being provided to individuals who require additional services to remain in the community; and
* Individuals with disabilities now have greater control over their community-based care and services.

# For more details, visit: https://www.hhs.gov/civil-rights/for-individuals/special-topics/community-living-and-olmstead/index.html.