

# **THE OLMSTEAD DECISION**

Two women living in institutions in Georgia decided that they wanted to live in their home communities. Their staff agreed, their social workers agreed – everyone agreed. Except Commissioner Olmstead – he felt it would be too expensive to have these women living in the community, and it would be unsafe for them.

After months turned into years, the US Supreme Court handed down the “Olmstead Decision” in 1999. This ruling is in response to a case filed against Commissioner Olmstead of the Georgia Department of Human Resources. This important civil rights ruling is having a profound, and positive, effect on the lives of people with disabilities and people who are aging throughout the U.S., including Iowans.

In the Olmstead Decision (1999), the U.S. Supreme Court ruled **IT IS ILLEGAL TO FORCE individuals with disabilities to live in institutions to receive services they would be able to receive in community settings with the appropriate supports.**

This means, **individuals with disabilities have THE RIGHT to receive services in settings of their choice.**

The Decision by the US Supreme Court was based on the Americans with Disabilities Act of 1990, and says:

- When a state isolates people with disabilities without justification, it is illegal discrimination.
- Federal law can require states to provide community-based services, in addition to institutional placements, for people with disabilities.

For more information about the Olmstead Decision in Iowa, go to:  
<http://olmsteadrealchoicesia.org/> (Olmstead Real Choices IA)