

THE *OLMSTEAD* DECISION

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When Congress passed the Americans with Disabilities Act (ADA), it found the isolation and segregation of people with disabilities to be a serious and pervasive form of discrimination. ADA regulations issued by the Department of Justice required state and local governments to administer their programs in the “most integrated setting” appropriate to the needs of individuals and to make reasonable modifications to their programs.

On June 22, 1999, the U.S. Supreme Court affirmed that policy in the historic *Olmstead v. L.C.* ruling. The court found that the institutionalization of a person with a disability is discrimination, when that person, with proper support, could live in the community.

Lois Curtis and Elaine Wilson, two women with disabilities who lived in Georgia nursing homes, asked State officials to allow them to move into their own homes in the community. After the State refused, they filed a lawsuit to have the State of Georgia allow the two nursing home residents to live in the community. After appeals, the U. S. Supreme Court heard the case. In June 1999, the Supreme Court issued the *Olmstead v. L.C.* decision. In its ruling, the Court said that

institutionalization severely limits the person’s ability to interact with family and friends, to work, and to make a life for him or herself. The Court ruled that the ADA requires States to serve people with disabilities in community settings, rather than in segregated institutions when community placement is appropriate and desired, and when the placement can be reasonably accommodated by the State.

The new ruling also requires states to develop comprehensive plans to identify people who are, or who are at risk of, being unnecessarily institutionalized. The *Olmstead v. L.C.* decision challenges federal, state, and local governments to develop more opportunities for individuals with disabilities through accessible systems of cost-effective community-based services.