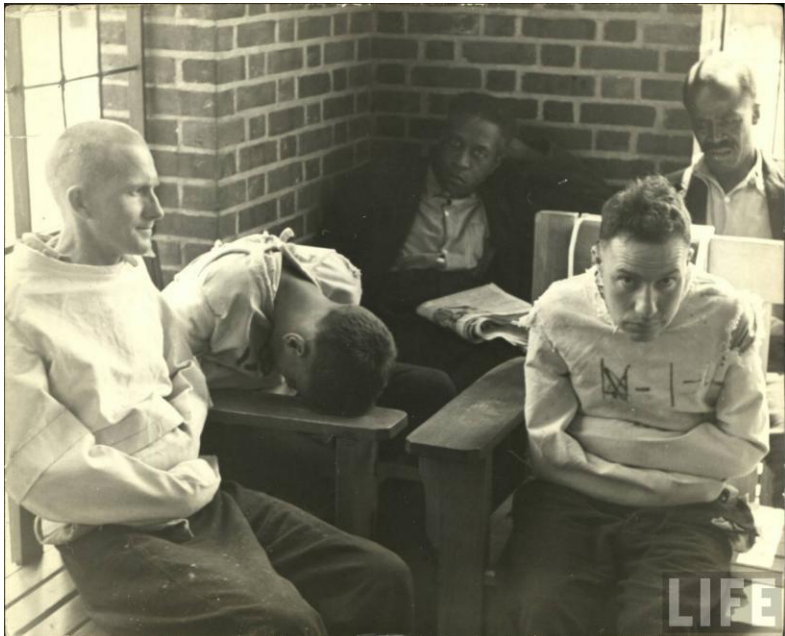


# Olmstead Decision

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On June 22, 1999, the U. S. Supreme Court ruled in the case *Olmstead v. L.C. and E.W.* that the "integration mandate" of the Americans with Disabilities Act requires public entities to provide services "in the most integrated setting appropriate to the needs of qualified individuals with disabilities."

It was determined that the Georgia Department of Human Resources had violated the ADA's "integration mandate" by holding two women with psychiatric disabilities in a state psychiatric hospital despite recommendations by the agency's medical professionals to transfer the women to community care.



Eleven years prior to the ruling, one of the congressional hearings on the Americans with Disabilities Act legislation spent a considerable amount of attention on the practice of institutionalization in which witnesses testified graphic and sorrowful descriptions of the conditions of such institutions.

Economic reasoning influenced the decision. Several national and Georgia organizations were able to substantiate the difference in cost of care in institutions versus the cost of community-based care.

The court ruled that placement into institutions on the basis of assumptions is a discriminatory act.

States are now required to place persons with disabilities in community settings rather than in institutions if the treatment professionals have determined that community placement is appropriate, the transfer from institutional care to a less restrictive setting is not opposed by the affected individual, and the placement can be reasonably accommodated.

