Advancing the human and civil rights of people with disabilities
SELF-ADVOCACY ASSISTANCE ★ LEGAL SERVICES ★ DISABILITY RIGHTS EDUCATION ★ PUBLIC POLICY ADVOCACY ★ ABUSE INVESTIGATIONS

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HEALTH FACILITIES & SERVICES REVIEW BOARD

October 14, 2013

Mike Constantino
Supervisor, Project Review Section
Illinois Health Facilities and Services Review Board
525 West Jefferson Street (2nd Floor)
Springfield, Illinois 62761

Re: Testimony of Equip for Equality in Support of the Application to Close the Warren G. Murray Developmental Center, Centralia, Project Number: 13-058

Dear Mr. Constantino:

As the organization designated to implement the federally mandated Protection and Advocacy (P&A) system for people with disabilities in Illinois, Equip for Equality appreciates the opportunity to submit testimony regarding the Department of Human Services' application to close the Warren G. Murray Developmental Center (Murray).

Equip for Equality strongly supports the decision to close Murray. Thirteen other states (Alabama, Arkansas, Hawaii, Indiana, Maine, Michigan, Minnesota, New Hampshire, New Mexico, Oregon, Rhode Island, Vermont and West Virginia) and the District of Columbia have closed *all* of their state-run institutions and are now successfully serving former residents in the community. In contrast, Illinois' approach to closures has been reactive to institutional conditions, or budget crises, rather than proactive to promote community integration. Until recently, Illinois closed state-run institutions for people with intellectual and developmental disabilities *only* when conditions became unsafe and unhealthy for the residents—and federal funding was threatened or discontinued—as was the case with Lincoln and Howe Developmental Centers.

The decision to close Murray and previously the Jacksonville Developmental Center constitutes Illinois' first announced intention to close state institutions as part of an affirmative plan to comply with the Americans with Disabilities Act of 1990 (ADA) and the U.S. Supreme Court's 1999 decision in *Olmstead*. The state's rebalancing initiative, though long overdue, presents s a prime opportunity to enhance and expand the services and supports that are required for people with intellectual and developmental disabilities to live healthier, safer and more fulfilling lives in the community.

For years, Illinois has lagged behind other states in moving toward community care for people with intellectual and developmental disabilities. What is clear now, however, is

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that the institutional model of care used at Murray and other state-run institutions is outmoded and does not provide individuals with intellectual and developmental disabilities the array of opportunities to make meaningful choices and exercise preferences that are consistent with their individual needs. The person-centered approach guiding the State's closure and transition plans will allow individuals residing at Murray to receive services in the manner and setting that best suits their needs and respects their wishes and the wishes of guardians. When institutions are closed, and the people residing in them are offered the opportunity to live with greater independence in the community of their choice and to interact with their neighbors without disabilities, the public policy of the state converges with the community integration mandate of federal law.

There is ample evidence that the *principle* of community integration works—it has proven successful in *practice* in neighborhoods throughout the country. Research shows that people with intellectual and developmental disabilities thrive in community settings. Behaviors that are viewed as negative in the institution are reduced in the community, and individuals are healthier and happier. Studies have also shown that parents who are initially opposed to closure are happy with community living and believe their family members are happier living in the community, as well. David Braddock et al, *The State of the States in Developmental Disabilities* 177 (2011). *See also* James W. Conroy & Valerie J. Bradley, *The Pennhurst Longitudinal Study: A Report of Five Years of Research and Analysis,* 314-15 (1985).

The notion that some people can never live in the community is a myth that the experience in this and many other states has dispelled. It is clear that, with appropriate supports and services all people with disabilities, including those with the most significant disabilities, can live successfully in the community.

Equip for Equality's mission is to advance the human and civil rights of people with disabilities in Illinois. We firmly believe that closing Murray will further this important goal. We are working with the State to help ensure that the people transitioning from Murray will be given meaningful and high quality choices guided by individual preferences and needs, with the supports and services required to lead safe and fulfilling lives.

Thank you for your consideration.

Sincerely,

Cheryl R. Jansen
Legislative Director