

Chapter 4. Promoting Full Access to Community Life

Promoting Homeownership for People with Disabilities

For many, homeownership is the cornerstone of the “American Dream.” The New Freedom Initiative promotes independence and access to the “American Dream” through homeownership.

Accomplishments

- The President promised to revise the Department of Housing and Urban Development’s Section 8 rent subsidy program to permit people with disabilities to use vouchers to make mortgage payments to purchase their own homes. The Department has implemented this pilot program.

Expanding Rental Housing Choices

While homeownership is important, there is also a dire need for accessible, quality, tenant-based housing for people with disabilities. The Administration is working to expand rental choices for people with disabilities and to increase enforcement of the Fair Housing Act.

Administration Accomplishments

- Under its Fair Housing Initiatives Program, the Department of Housing and Urban Development recently awarded a major national education and outreach grant to help communities ensure that more apartments and condominiums are built to be accessible to people with disabilities.
- The Department of Housing and Urban Development recently launched a major technical assistance program to help the building industry understand and comply with the Fair Housing Act’s accessible design and construction requirements. This initiative, the Program for Accessibility Training and Technical Guidance, will provide assistance on a national scale.
- The Department of Housing and Urban Development’s 2002 Super Notice of Funds Availability (SuperNOFA) encourages grant applicants to add accessibility design features beyond those required by civil rights laws and regulations. Such features eliminate barriers limiting the access of persons with disabilities to housing and other facilities and encourage visitability.

Next Steps

- The President requested \$40 million in the FY 2003 budget for the Department of Housing and Urban Development to fund approximately 6,000 Section 8 tenant-based rental vouchers for non-elderly disabled families.
- The President requested \$250 million, a \$10 million increase, in the FY 2003 budget for the Department of Housing and Urban Development Section 811 program that provides funding for construction and ongoing rental housing assistance for people with disabilities.

Swift Implementation of the *Olmstead* Decision

The President is committed to the enforcement of Title II of the ADA and to providing people with disabilities the choice to live in the community among friends and family.

Accomplishments

- The President issued Executive Order 13217 in June 2001 to ensure swift implementation of the Supreme Court *Olmstead* decision to expand community-based services and community living choices for people with disabilities. The Executive Order refers to Americans with all disabilities.

Administration Community Living Accomplishments

- On December 21, 2001, nine agencies submitted to the President the first report of agency efforts to meet the *Olmstead* Executive Order directive, entitled “Delivering on the Promise: Preliminary Report of Federal Agencies’ Actions to Eliminate Barriers and Promote Community Integration.” The report sets forth a summary of the actions that Federal agencies propose to take in several key areas such as health care structure and financing, employment, housing, education, and personal assistance services. The full detail of the promised actions was released in nine individual agency reports in March 2002.
- In its report to the President, the Department of Justice identified 38 action items to swiftly implement the *Olmstead* decision. Consistent with the President’s Executive Order mandate to issue technical assistance and participate in alternative dispute resolution, the Department will give priority to the following initiatives:
 1. The Departments of Justice and Health and Human Services will create a pilot project to refer appropriate *Olmstead*-related complaints received by the Department of Health and Human Services to an ADA mediation program established by the Justice Department. The mediation program has more than 450 professional mediators trained in the ADA and available nationwide.
 2. The Department of Justice is developing three technical assistance pieces on the implementation of the *Olmstead* decision. The first piece, which will be developed jointly with the Department of Health and Human Services, will provide guidance to states as they create comprehensive plans for community placement of persons with disabilities. The Department of Justice is also developing two “Know Your Rights” pieces, one for people currently residing within institutions and the other for persons at risk of institutionalization.
- Department of Health and Human Services Secretary Tommy Thompson has announced a series of grants totaling \$119 million to be awarded to states for design and implementation of enduring systemic reforms to promote community living. The “Systems Change Grants for Community Living” will help states and territories enable people with disabilities to reside in their homes and participate fully in community life.
- In June 2001, the Department of Housing and Urban Development announced a pilot program in 11 states called Project Access, which will facilitate the successful transition of non-elderly persons with disabilities from institutional settings to community living.

- The Centers for Disease Control and Prevention and National Institute on Disability and Rehabilitation Research will hold a Conference on Health and Disability in September 2002. The conference will focus on health and wellness for people with disabilities with the goal of improving quality of life, addressing long-term health care, and supporting inclusion in community living. Participants will include a diverse group of people with disabilities, service providers, employers, and state government officials.

Next Steps

- The President is dedicated to the implementation of the commitments in the “Delivering on the Promise” reports, which respond to the Executive Order to end the persistent impediments to community living.
- The President has requested \$14 million in his FY 2003 budget for four Department of Health and Human Services demonstration projects to support community-based alternatives for and independent living by people with disabilities. These projects were announced in the “Delivering on the Promise” report and represent a commitment of \$216 million in funding over the next five years and \$750 million over 10 years:
 1. The Department of Health and Human Services will create a 10-year home and community-based services demonstration as an alternative to Medicaid-funded psychiatric residential treatment centers for children. The proposed demonstration will allow states to provide children with emotional disturbances an array of services similar to those provided under home and community-based waivers in order to keep homes intact and avoid costly out-of-home placements in institutions.
 2. The Department of Health and Human Services will initiate a national demonstration designed to address workforce shortages of community service direct care workers. Specifically, the demonstration will test the extent to which workforce shortages and instabilities might be addressed through: (a) better coordination with the Temporary Assistance to Needy Families program, and (b) the availability of vouchers for worker health insurance coverage and/or for tuition and day care credits. Participating states will be expected to develop options for workers to purchase affordable health insurance coverage through the state health insurance system or similar organized insurance groups.
 3. The Department of Health and Human Services will conduct a national demonstration to allow states to provide respite care services for caregivers of adults with disabilities. Respite care, which is temporary care that offers support for family members, is critical to addressing the unrelieved caregiver burden in this country. This burden is a major contributing factor to institutionalization of individuals with disabilities. Under the demonstration, states will have more flexibility under the Medicaid program to offer respite services to certain unpaid providers. In return, states will have to maintain current financial commitments for caregiver support.
 4. The Department of Health and Human Services will implement and evaluate a 10-year demonstration providing respite care for caregivers of children who have substantial disabilities. This project will help caregivers cope with the challenges of caring for children with disabilities by allowing them more flexible respite services and other tailored services designed to meet their needs and keep their

homes intact.

- The President's FY 2003 budget contains increases in several programs that are equally critical in promoting community integration. For example:
 1. The President requested \$6 million for the Department of Housing and Urban Development to fund 1,000 Section 8 rental subsidy vouchers for people with disabilities who are transitioning from institutions into the community.
 2. The President requested \$15 million in funding for the Substance Abuse and Mental Health Services Administration for grants to states and communities to develop, implement, and assess integrated services for individuals with co-occurring mental illness and substance abuse disorders. Some of these individuals are reentering society from confinement in the criminal justice system.
 3. Recognizing the important role of the Centers for Independent Living in helping people move into the community and locate services, the President requested an increase of \$7 million, or 11 percent, for the Centers. The community-based Centers are run by and for people with disabilities and provide services such as outreach, advocacy, and personal assistance services referral.
 4. The President requested \$11 million, an increase of \$5 million, for the Department of Labor's Olmstead Community Employment Initiative. The Initiative will develop and implement a coordinated strategy to meet the employment and training needs of people with disabilities who are at risk of institutionalization and who are transitioning from institutions into the workplace and the community.

The President's New Freedom Commission on Mental Health

Currently, numerous Federal, state, and local government agencies oversee mental health policies, funding, programs, and a diverse network of public and private providers. These entities are doing valuable and necessary work. However, better coordination can result in more efficient and effective mental health services and can enhance the quality of life for people with psychiatric disabilities.

Accomplishments

- The President announced the formation of the New Freedom Commission on Mental Health to conduct a comprehensive study of the Nation's mental health service delivery system. It will identify barriers to care within the system and identify examples of community-based care models that have proven to be successful in coordinating and providing treatment services. The Commission will have one year to submit a final report to the President recommending immediate improvements that can be implemented by Federal, state, and local governments, as well as by public and private providers. The Commission will be composed of 15 members, appointed by the President, and seven ex-officio members from relevant Federal agencies.

Improving Access

The heart and spirit of the community can be found in local civic and faith-based organizations. Contributing to the community's well-being depends on involvement in community organizations and in the political process. The President is committed to increasing access to local organizations and participation in the political process.

Status

- The President's FY 2002 budget requested but was not provided \$20 million for the Department of Housing and Urban Development to improve access to ADA-exempt organizations such as private clubs and civic and religious organizations.
- President Bush supports improved access to polling places and ballot secrecy and is committed to working with Congress to address the barriers to voting for Americans with disabilities.