

# Overview of Olmstead



Prepared for the House Appropriations Subcommittee  
on Health and Human Services  
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# Olmstead Decision

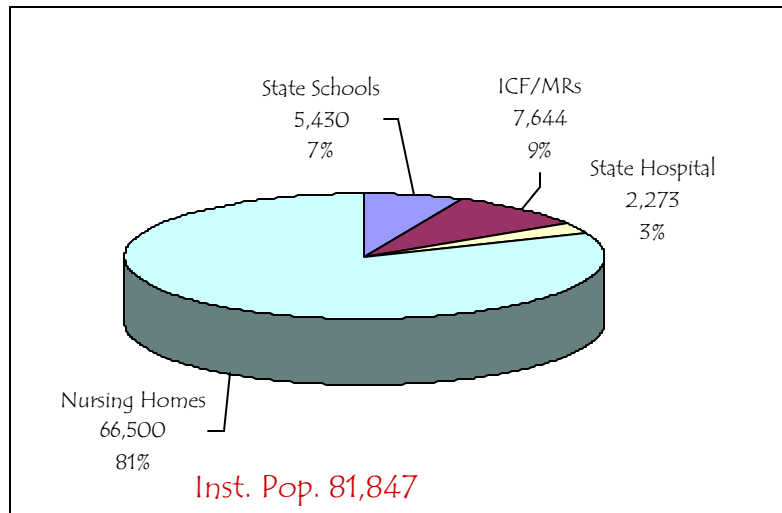
- ◇ Olmstead vs. L.C.
  - The Supreme Court ruled in June 1999 that states are obligated to allow access to community services as an alternative to an institution if:
    - 1) Treatment professionals have determined that community placement is appropriate
    - 2) The individual is not opposed to the transfer
    - 3) The placement can be reasonably accommodated, taking into account resources available to the state.

# Texas' Response to Olmstead

- ◇ Governor's Executive Order dated Sept. 1999 ordered a comprehensive review of all services and populations affected by Olmstead.
- ◇ HHSC created the Promoting Independence Advisory Board which assisted HHSC in writing a plan to affect change
- ◇ GR funds of \$119.5 million are requested for the FY02-03 biennium
- ◇ 76<sup>th</sup> Legislative Actions
  - Community slots increased by approximately 6,180
    - 5350 for CBA, 400 for CLASS, 239-MDCP, and 234-HCS

# FY 2000 Long-Term Care Institutional Population

## Total Institutional Population



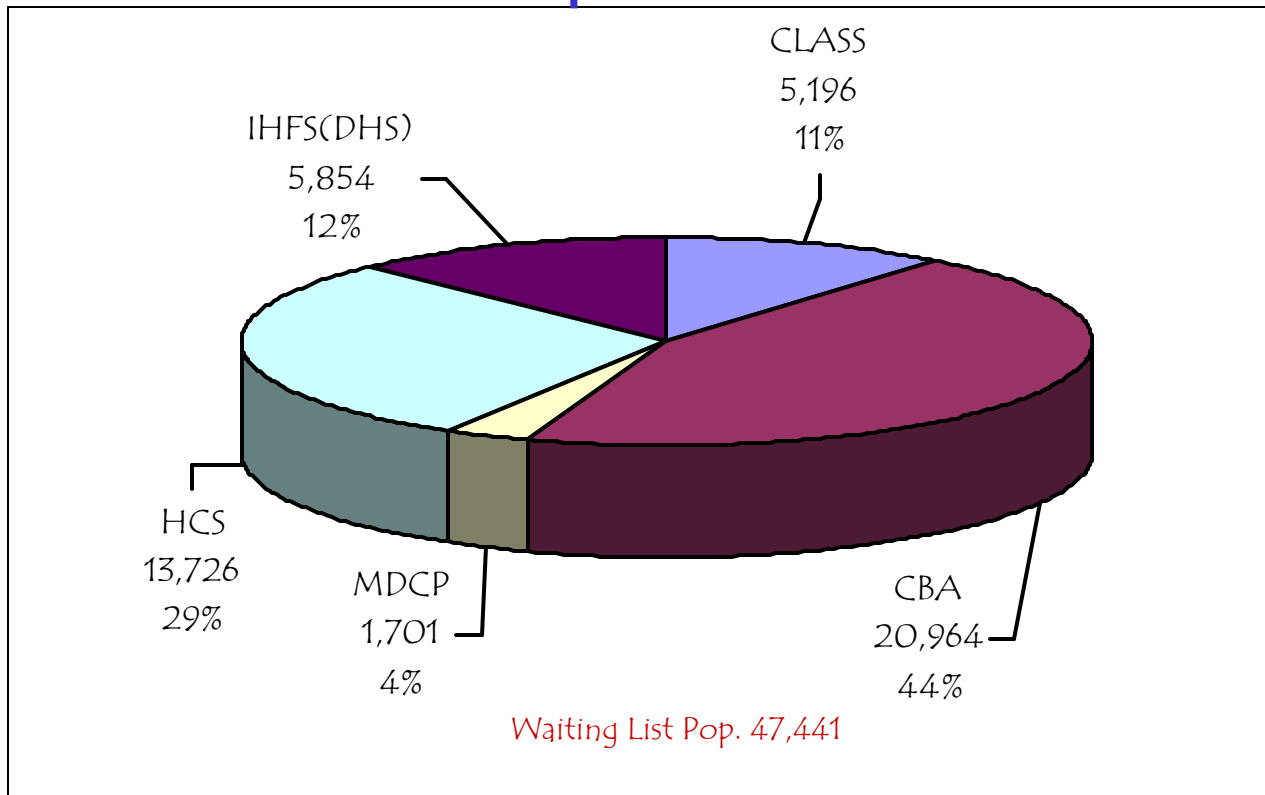
Estimated individuals in institutions recommended for community placement in HHSC Consolidated Budget.

- State Schools 325
- ICF/MRs 864
- Nursing Facilities 1,340

Key

ICF/MR Intermediate Care Facilities/ Mentally Retarded

# FY 2000 Long-Term Care Waiting List Population



Note: Not all Individuals on waiting list are qualified for the requested service  
KEY

- CLASS: Community Living Assistance and Support Services
- CBA: Community Based Alternatives
- MDCP: Medically Dependent Children's Program
- HCS: Home and Community-based Services
- IHFS (DHS): In-Home Family Support Services

# Promoting Independence Request

- ◇ Total GR \$94.9 million request includes:
  - Outreach, case management, and placements from Nursing Facilities, estimated increased slots 1,340 (\$18.6M GR)
  - Estimated placements from state schools of 325 and ICFs/MR of 864 (\$36.5M GR)
  - Serves approx. 1,114 waiting list clients by funding 16% of DHS' LAR request for waiting list (\$25.1M GR)
  - Provides wrap-around services to ensure successful placements (i.e., transitional funds, housing subsidies, etc) (\$9.7M GR)
  - Expand MHMR's HCS program and create a new mid-range waiver to serve approximately 288 waiting list clients. This funds approximately 25% of MHMR's LAR request (\$4.9M GR).