# **The Olmstead Advisory Committee Transition Memo- DRAFT**

## **Purpose:**

To aid in transition The Olmstead Advisory Committee would like to provide some background on why the Committee exits, some of the major accomplishments of the Committee, and recommendations for the Secretary of Health and Human Services to consider.

## **Background:**

The Committee was established within the California Health and Human Services Agency in 2005 to ensure the involvement of people with disabilities and other system stakeholders in making recommendations on actions to improve California's long term care system. The Olmstead Advisory Committee members represent consumers, family members, providers and advocates. Members of the Committee serve on a volunteer basis without compensation. In 2003, the California Health and Human Services Agency released the [California Olmstead Plan](http://www.chhs.ca.gov/Olmstead/California%20Olmstead%20Plan%20Update-%20November%202012.pdf), which provides a blueprint for improving California’s long-term care delivery system to ensure that persons with disabilities and older adults have appropriate access and choice regarding community-based services and long-term care options. The Committee’s fundamental purpose is to provide a forum for stakeholders to interface with the Secretary and the department of the Health and Human Services Agency to discuss issues of community integration and provide policy advice.

The Olmstead Advisory Committee has its genesis from a 1999 United States Supreme Court decision *Olmstead v. L.C.,* which held that unjustified segregation of persons with disabilities constitutes discrimination in violation of title II of the Americans with Disabilities Act. Specifically, the Court held that public entities must provide community-based services to persons with disabilities when (1) such services are appropriate; (2) the affected persons do not oppose community-based treatment; and (3) community-based services can be reasonably accommodated, taking into account the resources available to the public entity and the needs of others who are receiving disability services from the entity.

This decision represented a landmark moment for community integration for people with disabilities and seniors. With this holding, community integration, when appropriate, became federally mandated and enforceable by legal action, including actions by United States Department of Justice. In response, California increased initiatives to aid in community integration, including the Olmstead Plan and the establishment of this Committee.

## **Value of the Committee:**

The Olmstead Advisory Committee represents a unique forum for consumers, family members, providers, and advocates to engage with the California Health and Human Services Agency and relevant state departments to provide policy advice to further the goal of community integration. In preparation for this memo, Committee members were surveyed on what they felt the value of the Committee was. Members felt that some of the benefits provided by of the Committee were the following:

* Community and provider connection to the Administration
* A place for sharing credible information and getting updates from the Administration on program initiatives
* A starting point to help expand ideas that increase disability, senior, and mental health rights
* A consistent and on-going vehicle for bringing together department heads and top staff with advocates for discussion on critical issues
* A place where advocates can speak directly to key state leaders and inform them of issues about service delivery and community integration
* Reinforcing what the Olmstead decision represents

When surveyed about what members felt that the Committee has accomplished, members offered the following as some examples:

* The Committee has helped to preserve and highlight In-Home Supports and Services (IHSS) as a primary service in maintaining independence at home
* The Committee has been a champion for integration of healthcare and Long Term Supports and Services (LTSS)
* The Committee has been a consistent and beneficial forum to share information
* The Committee has advocated for increased access to community based services and supports for people with disabilities, mental health needs, and seniors
* The committee has been an effective place for communication with the Secretary and other state officials

## **Recommendations from the Committee:**

As the Olmstead Advisory Committee looks forward to working with a new administration, the members felt that it would be helpful to provide recommendations to the Secretary of Health and Human Services about both the Committee and some larger policy goals. In respect to the Committee, members were surveyed and would recommend that the Secretary consider for the future the Committee the following:

* More diverse and influential membership of the Committee, including stronger connections to the legislature, providers, and other state entities that could help with housing and transportation
* Add additional meetings when circumstances warrant
* Consult the Committee in preparation of the state budget
* More carryover of topics from meeting to meeting, including reports from the departments on specific actions
* Refine the scope of the Committee
* Better utilize the members through workgroups or specific tasks
* Set priorities for areas to focus work on
* Better audio equipment for the meeting

With regard to the policy work of the committee, when surveyed the members would like to suggest to the Secretary that the committee might focus on some of the following:

* Better integration of care across departments
* Update the Olmstead Plan
* Transition of individuals from SSI into SNAP
* Examining the needs of seniors, in particular around housing, medical, and social care.
* Defense of social safety net programs such as Medicaid, Medicare, the Affordable Care Act, and Social Security that are all critical to people with disabilities, mental health needs and seniors.
* Work to improve and expand home and community based services that are linked to outcomes, person centered planning, and goals that includes not just long term services & supports, but housing, transportation, and employment
* Improving the quality and coordination of long term services and supports across programs
* Assess the state departmental structure for better provision and coordination of services
* Focus on care transitions
* Housing
* Transportation
* Emergency preparedness
* Integrated Employment
* Access to community based care to maximize independence
* Self- Determination
* Wrap around services
* Seamless intake and assessment of enrollment or eligibility

When members were asked to provide their top three policy areas, housing was the top priority, followed by coordination of care and services, employment, looking at the sufficiency and access of community services, an examination of senior needs, transportation, and emergency preparedness.

The Olmstead Advisory Committee appreciates the opportunity to provide this background and recommendations. The Committee hopes that this memo has been helpful and looks forward to working the Secretary and the departments of the Health and Human Services Agency to further the important goal of community integration as represented by the *Olmstead* decision and this Committee.