



## **What is the Olmstead Decision?**

In 1999, the Supreme Court of the United States found, in the Olmstead Decision, that unjustified institutional confinement of a person with a disability is a form of discrimination. The Court described the effects of discrimination as those that severely diminish the everyday life activities of individuals, including family relations, social contacts, work options, economic independence, educational advancement, and cultural enrichment.

The Court held that all states have an affirmative obligation to provide services in the least restrictive environment appropriate to the needs of each individual and to accomplish this restructuring of service systems; it is necessary to strengthen community based services and supports, and to reduce institutional placements as required under the statutory provisions of Title II of the Americans with Disabilities Act (ADA).

The Court held that each state should develop a plan consistent with the decision. In Massachusetts, three years after the Supreme Court issued the Olmstead Decision, advocates formulated the People's Olmstead Plan by identifying major areas in need of reform in its disability related service systems and in other functions related to housing, education, transportation, employment and medical care.

In September 2008, Governor Deval Patrick issued the Administration's Community First Olmstead Plan. It should be noted that Governor Patrick, in his role as Assistant Attorney General for Civil Rights in the Clinton Administration, was the senior Community First Olmstead Plan official responsible for enforcement of the ADA.

In the eleven years since the Olmstead Decision, it has served as a catalyst for reform. Many states have undertaken restructuring of service systems to comply with the integration mandate of the ADA enabling persons with disabilities to live, learn, work and contribute to the home communities of their choice.