



Disability Rights Iowa

LEGAL PROTECTION AND ADVOCACY

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Department of Justice Report Findings: Iowa is in Violation of the Americans with Disabilities Act (ADA)

People with disabilities have the right to choose where and how they receive their Medicaid services. Due to the lack of community-based services available in Iowa individuals have no choice.

DES MOINES, Iowa. — The Department of Justice filed a report on Wednesday stating that the State of Iowa is in violation of the Americans with Disabilities Act (ADA). Within the ADA is the integration mandate which states that the State must provide “community based services to people with disabilities when: a. such services are appropriate; b. the affected people do not oppose community-based services; and c. community-based services can be reasonably accommodated...”¹ The integration mandate of the ADA requires the State to reasonably modify its service system to provide meaningful alternatives to institutional care.

“It is clear from the work we have been doing and especially from this report that there are gaps in our system. We support the DOJ Report in asking the State to take action on the Federal recommendations; to implement transition services from the institution to community living, education on the differences, and ensure individuals have a choice between the two. Mental Health and Behavioral Service Supports must be provided in community settings and that the waiting list for services needs to be reduced.” said Catherine Johnson, Executive Director of Disability Rights Iowa. She continues “Iowans with disabilities have the right to choose where and how they receive their Medicaid services. The ADA requires the State provide individuals with all services they are receiving in an institution in the community of their choosing.”

Disability Rights Iowa remains optimistic that corrective action resulting from the DOJ findings will improve the health and lives of thousands of Iowans with intellectual and developmental disabilities; and return their right to independently choose where they wish to receive their Medicaid services.

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About Disability Rights Iowa

Disability Rights Iowa is a non-profit 501(c)(3) that is a part of the National Disability Rights Network of protection & advocacy agencies across the U.S. Since DRI's establishment in 1984, it has been our mission to protect and advocate for the rights of Iowans with disabilities and mental illness.

Learn more about Disability Rights Iowa: www.driowa.org

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¹ *Olmstead vs. L.C.*, 527 U.S. 581, 607 (1999)