

OLMSTEAD CABINET UPDATE

Presented at MISCC Public Meeting, April 16,
2013



Olmstead Cabinet

Executive Order No. 84

- ❑ Issued November 30, 2012
- ❑ Created Olmstead Plan Development and Implementation Cabinet
- ❑ Cabinet charged with making recommendations to the Governor

Process to Date

Substantial state agency discussion

- ▣ All Olmstead cabinet agencies
- ▣ SED
- ▣ Public safety agencies

Broad stakeholder outreach

- ▣ 125 organizations consulted
- ▣ 18 Round Tables conducted
- ▣ 4 public forums hosted

External Resources



- ❑ Olmstead court cases
- ❑ DOJ findings letters
- ❑ Federal policy
- ❑ Experience of other states

Key Questions

- ❑ To whom does Olmstead apply?
- ❑ What is known about those individuals' needs and choices?
- ❑ How can we best meet those needs and choices in the most integrated setting?
- ❑ How should we measure our results?



What is Olmstead?

Olmstead Mandate

- ❑ Title II of the ADA applies broadly to “services, programs, or activities” of the State
- ❑ Community integration regulation requires the State to “administer these services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities”
- ❑ “Most integrated setting” is one that “enables individuals with disabilities to interact with nondisabled persons to the fullest extent

Olmstead Mandate

- ❑ Applies to a wide spectrum of individuals with disabilities
- ❑ Concerns where a person lives, works, and receives services
- ❑ An Olmstead plan must achieve both good individual outcomes and good systems outcomes

Key Olmstead Considerations

- ❑ Assessment of need and choice
- ❑ Meeting those needs and choices in the most integrated setting
- ❑ Movement towards integration at a reasonable pace



The Move to Managed Care

System Changes in Managed Care

- ❑ Access services, not programs
- ❑ Services received will be based on need and choice
- ❑ Case management available to assist with coordination of services and improve access to services

How Managed Care Impacts Olmstead

- ❑ Creates framework for standardized assessment and measurement of outcomes
- ❑ Improves coordination of care
- ❑ Broadens access to services outside of particular service sectors



Key Challenges

Key Challenges

- ❑ Developing independent assessment process to understand need and choice
- ❑ Integrating assessment processes across service systems
- ❑ Integrating community first choice into assessment process
- ❑ Developing measurable Olmstead outcomes

Accountability

- ❑ Availability of Olmstead data
- ❑ MISCC
- ❑ Justice Center
- ❑ Independent advocacy