



# DPC Issue Brief

...promoting progressive public policy  
for Texans with disabilities.

**Title:** Policy Statement on Community Services and Supports

**Background:** Nursing facilities and ICF/MR continue to keep thousands of Texans of all ages from living in their communities at a higher average cost than community programs. Furthermore, Texas operates 13 State Institutions for the “Mentally Retarded” also known as State Schools, keeping more than 5000 people institutionalized. More than 100,000 Texans with disabilities continue to wait for Community Medicaid Waiver Services, as hundreds of millions of dollars are spent to keep people institutionalized. (See attachment) In an era of scarce resources it is a waste of limited funds and a human tragedy to continue placing people in nursing facilities and state institutions.

The Health and Human Services Commission (HHSC) and the Department of Disability and Aging Services (DADS) have requested funding increases to reduce the waiting lists for all Medicaid waiver programs. The agencies have requested funding increases necessary to provide waiver services to 20% of the individuals on the waiting lists for those programs, each biennium, over the next three legislative biennia’s. Additionally, the recent McCarthy lawsuit settlement agreement is expected to result in the end of the waiting lists for waiver programs within the next decade. Even with this settlement agreement, thousands of Texans continue to remain institutionalized, locking up hundreds of millions of dollars in resources that could be re-directed to home and community service options.

Moreover, state expansion of Money Follows the Person (MFP) to ICF/MR facilities and federal MFP initiatives should offer additional opportunities for Texas to support people with disabilities to transition from institutions to their communities.

**Recommendation:** The Disability Policy Consortium (DPC) supports the Texas Legislature fully funding community services and supports that ensure Texans with disabilities have an equitable opportunity to live in their communities. This includes:

- Funding increases sufficient to provide services and supports to individuals currently on waiting lists for Medicaid waiver programs.
- Funding to accommodate anticipated demographic growth in Medicaid waiver programs.
- Funding for other federally and State funded community programs.
- The immediate re-direction/re-allocation of resources from State Institutions (including nursing facilities, Intermediate Care Facilities for the Mentally Retarded (ICF/MR) and “state schools” for the “mentally retarded”) \* to community living programs.

**Contact information:** Jeff Garrison-Tate, Policy Service Manager, Advocacy, Inc., 7800 Shoal Creek Blvd., Suite 171-E, Austin, Texas 78757, Telephone: (512) 454-4816, Facsimile: (512) 323-0902 and James Meadours, Staff Liaison, Texas Advocates, 8001 Centre Park Drive, Suite 100, Austin, Texas 78754, Telephone: (512) 454-6694, Facsimile: (512) 454-4956.

**MEMBER ORGANIZATIONS:** *Statewide Members:* Advocacy, Incorporated, Brain Injury Association of Texas, Coalition of Texans with Disabilities, Epilepsy Coalition of Texas, The Institute for Disability Access/ADAPT, Lone Star Association for Persons in Supported Employment, Mental Health Association in Texas, National Alliance for the Mentally Ill of Texas, National Multiple Sclerosis Society of Texas, Texas Advocates, Texas AIDS Network, Texas Association of Centers for Independent Living, Texas Association of the Deaf, Texas Center for Disability Studies/ Texas Technology Access Project, Texas Council for Developmental Disabilities, Texas Federation of Families for Children’s Mental Health, Texas Legal Services Center, Texas Mental Health Consumers, Texas State Independent Living Council, Texas State Sickle Cell Disease Association of America, The Center on Disability and Development at Texas A&M University, Council for Families for Children, United Cerebral Palsy of Texas, The Spina Bifida Association of Texas, Inc., and the Depression and Bipolar Support Alliance of Texas. *Local Members:* Epilepsy Foundation Central & South Texas. REACH Resource Centers on Independent Living – Dallas, Fort Worth and Denton, Corpus Christi Committee for Persons with Disabilities, Goodwill of Central Texas and Coastal Bend Center for Independent Living

---

\* See Texas Health and Safety Code § 531.002 *et seq.*