

Rep. Davis and Sen. Harkin Introduce Community Choice Act

Davis, Harkin Introduce H.R. 1670, the Community Choice Act

Measure Offers Choice and Independence for Persons with Disabilities

WASHINGTON, D.C. – A measure introduced today in both the U.S. Senate and U.S. House will offer choice and

independence for people with disabilities. The Community Choice Act, legislation sponsored by Senator Tom Harkin (D-IA) and Congressman Danny Davis (D-IL), will bring people with disabilities into the mainstream of society and provide equal opportunity for employment and full involvement in community activities. It allows people with disabilities who need an institutional level of care the choice of receiving their services and supports in their own communities, rather than in an institution.

"The legislation sends a message to the rest of Congress and to America: We want real homes, not nursing homes," said Harkin, one of the authors of the Americans with Disabilities Act. "Our current system effectively forces people into institutions and requires them to impoverish themselves in order to become eligible for the assistance they need. It is wrong — and this legislation changes it."

"This legislation allows States and consumers to obtain more cost effective long-term services in the most appropriate setting for the individual. Individuals with disabilities will be able to choose between services in an institution or services at home permitting more independence, more dignity and reduced cost," said Congressman Davis. "Without any new entitlements, The Community Choice Act will allow the dollars to follow the person, and allow individuals, or their representatives, to choose where and how to best receive services and supports."

Under the U.S. Supreme Court's decision in *Olmstead v. L.C.* (1999), individuals with disabilities have the right to choose to receive their long-term services and supports in the community, rather than in an institutional setting. The Community Choice Act would amend Title XIX of the Social Security Act to make community-based attendant care services an alternative for Medicaid recipients who are "institutionally eligible" for nursing home care.

Disability advocates from around the country traveled to Washington today to rally with the lawmakers as they announced the introduction of the measure, which is supported by all of the major disability organizations.

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