



*Speaking out for people
with intellectual disabilities*

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Concerned About Deaths of Intellectually Disabled Individuals, National Organization Calls for Moratorium on Deinstitutionalization Lawsuits

[VOR](#), a national advocacy organization representing people with intellectual disabilities and their families, today asked Members of Congress in several states to call for a moratorium of federally-funded deinstitutionalization lawsuits.

“Protection & Advocacy and Department of Justice lawsuits have forced people with severe intellectual disabilities from their specialized homes and into smaller, unlicensed settings that are too-often not prepared to handle people with such severe degrees of intellectual disability,” said Tamie Hopp, VOR’s Director of Government Relations & Advocacy.

VOR’s call for a moratorium was prompted by the *New York Times* reporting of tragic preventable deaths of hundreds of people in New York group homes. Specifically, the *Times* found that “One in six of all deaths in state and privately run group homes [in New York], or more than 1,200 in the past decade, has been attributed to either unnatural or unknown causes. (“[1,200 Deaths and Few Answers](#),” November 6, 2011).

“The silence by federal agencies in response to these deaths is deafening,” said Hopp. “Not only have P&A and DOJ done little if anything in response to these deaths, which numbered more than a 100 per year over 10 years, they have continued their ideological warfare on larger Medicaid-licensed and funded ICFs/MR.”

Since 1996, P&A have filed at least 17 lawsuits involving ICFs/MR for the purpose of “community integration.” In recent years, DOJ has also aggressively supported the closure of ICFs/MR in Georgia, Virginia, and Illinois, and is presently investigating similar facilities in Mississippi.

In Georgia, the [DOJ settlement](#) calls for the displacement of 10,000 people with mental illness and developmental disabilities. “It’s a little like loading more passengers onto the Titanic,” remarked William Fischer, Professor of Psychology, Center for Mental Health Services Research, University of Massachusetts.

The Independent Reviewer’s first year [implementation report](#), released October 5, cites serious problems associated with Georgia’s community-based care system, including access to health care, isolation and at least one death due to neglect.

Even P&A has recently acknowledged problems with health and safety in community programs in Alabama and North Carolina (National Disability Rights Network, “[Keeping the Promise: True Community Integration and the Need for Monitoring and Advocacy](#),” December 1, 2011). In Alabama, P&A was directly responsible for the closure of facilities, leading to the very health and safety problems it now condemns.

“Remarkably, P&A asks to receive more funding so it can better investigate problems in the community,” said Hopp. “VOR would rather they stop spending resources on lawsuits and other activities which serve to place these vulnerable people at risk in the first place.”

VOR’s call for a moratorium was sent to Members of Congress representing New York, Georgia, Virginia, and Mississippi, as well as the 66 Congressional cosponsors of H.R. 2032, federal legislation also which seeks to reform the way these lawsuits are handled.

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