

Full committee markup date: September 9, 2025

**DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND
EDUCATION, AND RELATED AGENCIES APPROPRIATIONS
BILL, 2026**

**R E P O R T
OF THE
COMMITTEE ON APPROPRIATIONS
HOUSE OF REPRESENTATIVES**

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Pages 185 &186

Developmental Disabilities Protection and Advocacy

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The Committee notes that the Supreme Court decision in *Olmstead v. L.C.* (1999) held that the Americans with Disabilities Act (ADA) does not require removing individuals from institutional settings when they are unable to handle or benefit from a community-based setting and that the ADA does not require the imposition of community-based treatment on individuals who do not desire it. The Committee notes that actions to undermine and close intermediate care facilities for individuals with intellectual disabilities may impact some individuals who do not meet the criteria for transfer to a community-based setting. The Committee encourages HHS to ensure that programs properly account for the needs and desires of individuals with disabilities, their families, legal representatives and caregivers, and the importance of affording individuals the proper setting for their care. The Committee further encourages the Department to prohibit an eligible protection and advocacy system to use funds under this heading to institute class action litigation against an intermediate care facility in good standing with licensure requirements.

The Committee recognizes that the ADA encourages States to administer services for people with Intellectual and Developmental Disabilities (IDDs) in the most integrated setting appropriate to the needs of qualified individuals with IDD. Further, the Committee understands that while center-based work is not appropriate for every individual with a disability, center-based adult work programs chosen by individuals with severe IDD and their families remain a viable choice that can provide dignity and purpose for a significant percentage of the IDD population. These work and service settings have been determined to be rewarding and appropriate by the individuals and family members directly involved in the decision-making process, and the Committee is concerned that some organizations receiving funding under the Developmental Disabilities Assistance and Bill of Rights Act have targeted these setting for closure. The Committee encourages ACL to encourage stake holders to coordinate to ensure that individuals with IDD appropriately suited to participate in center-based work programs are not deprived of the opportunity to do so.

And

Page 162

Money Follows the Person Demonstration Grant.—

The Committee notes that it is not the intent of Money Follows the Person Demonstration Grant (MFP) to eliminate the option of institutional care. MFP funds may not be used for the wholesale transfer of residents from certified care facilities to finance facility closures or downsizing. MFP is a voluntary program established to facilitate individual transitions to community settings initiated by the beneficiary at the beneficiary's choice and request. The Committee requests: (1) mortality data on those who transfer under the MFP program from certified facilities, and (2) data by category of disability (developmental disabilities, mental illness, age, physical disabilities) for sentinel events (911 calls; ER visits) for MFP participants.