

# DRNJ POLICY STATEMENT: COMMUNITY INTEGRATION

## I. MISSION STATEMENT

DRNJ's mission is to advocate for and advance the human, civil and legal rights of persons with disabilities

## II. POLICY STATEMENT

Individuals with disabilities shall have the opportunity to live as independently as possible and to be integrated and included in communities of their choice, with appropriate community based supports and services.

## III. BACKGROUND

In this country there has been a growing movement to acknowledge disability as a natural part of the human experience, which does not diminish the right to enjoy the opportunity to live independently and experience full integration and inclusion in mainstream American society. Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 prohibit the discrimination of individuals with disabilities in the provision of federally funded and private services. Specifically, the regulations implementing ADA require all public entities to administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.

The Developmental Disabilities Assistance & Bill of Rights Act states that individuals with developmental disabilities have a right to receive appropriate treatment, services, and habilitation in the setting that is least restrictive to the individual's personal liberty. In 1999, the United State Supreme Court in *Olmstead v. L.C.*, held that it is discrimination to deny individuals with disabilities services, programs, and activities in the most integrated setting appropriate to their needs. Moreover, unnecessary segregation of individuals with disabilities in institutions may constitute discrimination based on disability.

In order to ensure that individuals with disabilities are fully integrated and included in American society:

- New Jersey must ensure that there is sufficient affordable and accessible housing to eliminate the lack of housing as a barrier to community integration;
- New Jersey must fully evaluate and enhance New Jersey's Medicaid Home and Community Based Waiver Programs to ensure maximization and utilization of federal revenues;

- New Jersey must ensure that there is affordable, accessible mass transportation, including paratransit;
- New Jersey must ensure that there is adequate funding for culturally competent community supports and services, including family support services and programs, and a full continuum of services, including mental health services, for children;
- New Jersey must identify and evaluate all residents of psychiatric hospitals, developmental centers and nursing homes and continue funding initiatives to transition those individuals with appropriate supports and services to the community;
- New Jersey must provide a competitive and living wage to ensure the recruitment and retention of high quality direct care staff;
- New Jersey must ensure that individuals with disabilities have access to needed, appropriate and culturally competent community supports and services;
- New Jersey must recognize and support the social inclusion of individuals with disabilities in the community.