PENNSYLVANIA STATE REPORT

May, 2020

In August of 2019, Pennsylvania Governor Tom Wolf and the Department of Human Services Secretary, Teresa Miller (a former ARC lawyer) announced the closure of two of Pennsylvania's four Intermediate Care Facilities, White Haven State Center in Luzerne County and Polk State Center in Venango County. One month after the closure announcement, Governor Wolf announced the acceptance of a 20 million dollar Money Follows the Person CMS grant. The grant awards the Wolf administration a monetary "bounty per head" for each individual in the Commonwealth moved from institutional care to the "Community" care system.

Union members and families held rallies at the Harrisburg State Capitol to protest the closures and to lobby for a Moratorium bill, *Pennsylvania Senate Bill 906*, which would halt the State Center closures for five years to study the issue and all the ramifications of depriving Pennsylvania citizens of these public ICF services. The bill passed both the Pennsylvania House and Senate in record time. Governor Wolf vetoed the legislation and lobbying efforts are still underway to overturn the veto.

The Polk Center and White Haven Center families filed a federal class action lawsuit, *Jennings v. Wolf,* to stop the violation of the civil rights of Polk and White Haven Center residents to choose the home and the care they need.

VOR made a generous donation of $10,000 to the Pennsylvania family organizations for their Legal Defense Fund, for which the families are most thankful. This donation is in accord with the VOR Burke Legal Support Fund which was established in 2004. On September 24, 2004, the VOR Board approved enhancing VOR's legal advocacy to ensure that *"VOR can expand the assistance we provide to our members in nationally-significant legal cases. These funds would be drawn upon to sponsor either direct involvement by VOR (e.g., Amicus Curiae),* ***or direct contributions to family***

organizations *faced with responding to the legal battle (excerpt, Board Proposal, approved September 24, 2004).*

During the coronavirus pandemic, we have comparative, empirical evidence from the Office of Developmental Programs' own reports that the Pennsylvania State Centers are the safest place for our disabled loved ones to reside compared to the "Community" service system. To date, we are happy to report that there have been NO coronavirus PA State Center resident infections, NO coronavirus PA State Center deaths and only two coronavirus infections of PA State Center staff in all four PA State Centers. The "Community" service system in the Commonwealth reports 674 suspected coronavirus resident infections, 68 coronavirus resident deaths and 776 "Community" staff coronavirus infections to date. As of this date, we can conclude the congregate, public ICF model of care in the PA State Centers have demonstrated superiority in both care and safety during COVID-19.

Respectfully submitted,

Susan Jennings
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KIIDS – Keeping Individuals with Intellectual Disabilities Safe, www.thekiids.org