



Toll free
877-399-4867

www.vor.net

Executive Director
Julie M. Huso
836 S. Arlington Heights Rd. #351
Elk Grove Village, IL 60007
605-370-4652 Voice
605-271-0445 Fax
Jhuso@vor.net

Dir. of Govt. Relations & Advocacy
Tamie Hopp
PO Box 1208
Rapid City, SD 57709
605-399-1624 Voice
605-399-1631 Fax
Thopp@vor.net

Washington, D.C.
Larry Innis
529 Bay Dale Court
Arnold, MD 21012-2312
410-757-1867 Voice/Fax
LarryInnis@aol.com

VOR Statement in Support of the Residents of Wyoming Life Resource Center and Their Families

Before the Wyoming Joint Labor, Health and Social Service Interim Committee

By Shawn Humberson, VOR Co-State Coordinator

on behalf of Julie Huso, VOR Executive Director

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VOR is a national, non-profit, non-provider, advocacy organization for people with intellectual and developmental disabilities (I/DD).

We are the **only** national advocacy organization that supports a full continuum of services and supports, from own home, family home, community-based supports and facility-based settings.

To be clear, we strongly support the right of individuals to be served by the Wyoming Life Resource Center **and** we support the right of other individuals with developmental disabilities to be served in smaller, community-based settings.

Wyoming can have it both ways. Like you and me, people with developmental disabilities have varied and unique needs and wants. They are individuals who deserve person-centered policies and planning. One size does not fill all.

Federal law agrees. The landmark Supreme Court *Olmstead* Decision requires individual choice as one prerequisite to community placement and expressly cautions against placing some individuals at risk by forcing them into community settings they don't want and cannot handle.

Likewise, the federal Developmental Disabilities Assistance and Bill of Rights Act encourages, but does not mandate, community placement. Instead, like *Olmstead*, it leaves care and policy decisions in the hands of individuals and their families. Calling individuals and their families "primary decisionmakers," the DD Act recognizes appropriately that no one— not professionals, not federally funded advocates, not even lawmakers – know better what life-sustaining, qualify of life care arrangements are needed than the individuals, and where necessary, their families and legal guardians.

In the case of individuals with profound intellectual disabilities and serious brain injuries, like so many residents who call the Wyoming Life Resource Center home, families as their legal guardians are best positioned to serve as primary decision-makers. You have heard from so many of these engaged families today and throughout your careful deliberations. Thank you for listening to them. They do know best.

Looking ahead, the Wyoming Life Resource Center is an important resource now and into the future.

As Connie Howard, VOR's State Coordinator, wrote in an Op/Ed earlier this year, the Wyoming Legislature can and must -

“Do more with more . . . With regard to WLRC's efficiency, think outside the box and ask whether the center would operate more efficiently with more residents and by increasing the number of non-residents that receive health care supports from the center's professionals as outpatients.”

With so many Wyoming citizens with disabilities desperate for adequate care and supports, a natural and tempting response would be to take from Center residents and give to individuals going without. However, a “robbing Peter to pay Paul” approach has not worked well in other states and will leave many Wyoming citizens without adequate care. Cutting services in the face of such need is antithetical to expanded services. If the Center were downsized more or even closed, residents and current “outpatients” will suffer when services are dismantled and lost, and those who could have benefited (now and in the future) will compete for a slice of a smaller pie.

It is possible to make the pie bigger and serve more people. Why not open the Center's doors and serve more very disabled and deserving citizens?

No doubt, the Wyoming P&A will have a different view. Nationally, P&As have targeted licensed facilities like the Wyoming Life Resource Center for closure. These attacks are motivated by an ideology that supports the closure of all large centers. Very often, calls for closure are in the name of community integration only, without regard to conditions of care or the choices and input of affected individuals and their families.

Here in Wyoming, the P&A has issued a troubling report. The State was already reviewing the Center's practice and policy with regard to how it investigates troubling incidents and the State is right to look into P&A's allegations. There is no setting – whether facility or community-based – that is 100% safe, 100% of the time. There is always room for improvement in the care of fragile people.

Families of Wyoming Life Resource Center residents also encourage State review. Individuals and their families are only motivated by a desire to receive high quality, compassionate care. They will be the first to seek Center improvements while strongly opposing closure.

I strongly encourage the Joint Committee and the full legislature to embrace the families' view of the situation at the Center as far more credible than any other – VOR's or P&A's. As noted above, the federal DD Act also views individuals and their families as primary decision-makers. The DD Act is also the federal law that creates and sets the policies and rules for the nationwide system of P&As.

In conclusion, VOR is the only national organization challenging a nationwide trend to close facilities serving people with I/DD, while also supporting community expansion. We are also the only national organization that respects the perspective of the residents of centers and their families, above all other opinions. VOR does not judge individual choice based on our view of certain service settings. **By law, individuals and their families are the primary decision-makers.**

Thank you for listening and deferring to these informed citizens, and for this time to address you today.