

What is Olmstead and Why is it Important?

One of the most important court decisions that impacted people with disabilities was the 1999 United States Supreme Court Olmstead decision, which was based on the Americans with Disabilities Act (ADA) of 1990. The ADA prohibits discrimination against individuals with disabilities. This includes individuals who are at risk of institutionalization.

The Olmstead decision made clear that people with disabilities have the right to make their own choices about their lives – to live, learn, work, and enjoy life in the communities of their choosing. Individuals should be provided services in the least restrictive setting that meets their needs. The least restrictive setting is a service environment that provides the maximum amount of freedom and autonomy while still ensuring the safety and well-being of the individual.



The Olmstead decision requires states to provide community-based services for individuals with disabilities, including individuals with intellectual and developmental disabilities (I/DD,) adults with a serious mental illness (SMI,) and children with a serious emotional disturbance (SED). The following three conditions must be met:

- The person does not object to living in the community;
- The person's clinician supports it; and
- The placement can be reasonably recommended, taking into account the resources available to the State and the needs of others who are receiving State-supported disability services.

It is important to understand Olmstead to know that people with disabilities have the right to make their own choices about the services they receive, and to ensure these services are provided in the least restrictive setting possible.

History of the Olmstead Decision:

The Olmstead case was brought by two women in Georgia, Lois Curtis and Elaine Wilson. Both of these women lived with mental health and developmental disabilities and received care in institutions. Lois and Elaine saw the importance of seeking services in the community. Their doctors agreed; however, the institution did not release them to community placements. They filed a lawsuit against the institution and the State of Georgia, arguing they should be able to receive services in their community. The United States Supreme Court determined that people with disabilities, like Lois and Elaine, have a right to receive services in the community if they meet the requirements in the three conditions mentioned above.

[Arizona's Olmstead Plan](#) is focused on ensuring the availability of community-based services, and offers members and their families the opportunity to make informed decisions and choices regarding how their needs can be best met.

How to provide input on Arizona's Olmstead Plan?

AHCCCS will hold an annual public comment period and convene stakeholder forums to continue reassessing needs by receiving member, family member, and community input and feedback. To read the Olmstead Plan, and to subscribe to updates and opportunities for public input, please visit www.azahcccs.gov/Olmstead.

You can send comments and questions at any time to the AHCCCS Olmstead email address Olmstead@azahcccs.gov.

The Arizona Health Care Cost Containment System (AHCCCS) is committed to ensuring the availability of timely, quality health care. If you know of an AHCCCS member who is unable to access health services, or if you have a concern about the quality of care, please call your AHCCCS health care plan's Member Services number. If your concern is not resolved, please call AHCCCS Clinical Resolution Unit at 602-364-4558, or 1-800-867-5308.