

Washington, D.C.---B With thousands of people across the country listening in by phone, Sen. Tom Harkin (D-IA) and Rep. Danny Davis (D-IL) will introduce the Community Choice Act (CCA) in both houses of Congress on March 24. The CCA will allow people with disabilities and older people to choose to stay in their own homes and communities with attendant care instead of being forced into nursing homes and other institutions by the current institutional bias in Medicaid. Both President Obama and Vice President Biden were CCA co-sponsors during their years in the Senate.

"We are very hopeful that CCA will become reality this year," said Mike Oxford, Kansas ADAPT Organizer. "In the time since it was first introduced, our persistent efforts have resulted in securing Medicaid systems change grants, increased money for community services, and the Money Follows the Person grants. We've convinced a variety of federal and state officials that home care is personally preferable and fiscally responsible. All that's left is to make home and community-based services and supports available across the nation so individuals in every state can choose to receive long term care at home in the community."

Under current Medicaid law, states have to fund care in a nursing facility, but are not mandated to also fund the same care in a person's own home. As a result, many people in need of long term care services and supports are literally forced to enter nursing homes or other institutional settings in order to receive the care they need. This inequality in where services are funded is known as the "institutional bias" in Medicaid.

The introduction ceremony on March 24th will come just before the 10th anniversary of the noted U.S. Supreme Court "Olmstead Decision," said Dawn Russell, ADAPT Organizer in Denver, CO. "In Olmstead the court said forced institutionalization is discrimination, and the court also reinforced the mandate in the Americans with Disabilities Act (ADA) that government services must be delivered in the "most integrated setting."

Since 1997 when the CCA was introduced as the Medicaid Community-based Attendant Services ActB (MiCASA), a variety of time-limited, state-option grants have provided funding for some older and disabled people to move from nursing homes back into the community. The CCA would keep people from having to go into a nursing home in the first place in order to get funding to live in the community.

"Whether you talk to the disability community or to AARP and other aging organizations, the message is both clear and consistent," said Chris Hilderbrant, ADAPT Organizer from Rochester, NY. "People want to stay in their own homes and communities. They do not want to be forced into a nursing home, away from family and friends, because they need some assistance in their daily lives. The situation in rural, frontier and tribal America is even more drastic because nursing homes are typically located miles and miles and hours and hours away from someone's home community."

When asked how the CCA fits into health care reform, Oxford added, "We want CCA to pass in 2009, whether as a stand alone bill, as part of a larger long-term services and supports reform, or as part of the Obama Administration's health care reform package. Obama and Congress must end the institutional bias in 2009"

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