

MEMORANDUM OF SUPPORT FOR DISABILITY INTEGRATION ACT S. 2427 (SCHUMER) / H.R. 5689 (GIBSON)

TO SUPPORT COMMUNITY LIVING FOR INDIVIDUALS WITH DISABILITIES

The Brain Injury Association of New York State (BIANYS) supports S. 2427/H.R. 5689, the Disability Integration Act, which supports community integration for people with disabilities and would prohibit discrimination against those who need long-term services.

The Disability Integration Act would strengthen the protections rendered under the Americans with Disabilities Act (ADA) and increase the implementation of it, as mandated by the Olmstead decision. This pivotal civil rights legislation recognizes the protections needed for Americans with Disabilities and provides greater access to the rights established by the ADA.

The Brain Injury Association of New York State is the premier state wide organization advocating on behalf of the thousands of New Yorkers with brain injury and their families. Through our information and resource clearinghouse, family support program, extensive public education and professional training programs, supports for our wounded warriors, and extensive network of chapters and support groups, BIANYS is uniquely positioned to provide input and insight into the needs of this population.

On a daily basis, we support individuals whose lives have been permanently altered by brain injury. Significant among the effects of the injury are the resulting cognitive and physical challenges that may profoundly impact on individual's ability to reintegrate into his/her family, community, employment, or school. Without Long Term Services and Supports (LTSS) to assist them, these people may end up institutionalized, with little access to their home communities and the lives they wish to lead. The Disability Integration Act establishes the right to receive LTSS in the most integrated setting, limiting institutionalization and increasing quality of life for many people with disabilities.

BIANYS strongly supports steps that would help people with brain injury and any disability to have real choice in how they receive services, including the ability to remain in an integrated setting. The Disability Integration Act provides the necessary means of establishing the right to LTSS and addresses the areas of need that undermine the principles of the ADA and Olmstead decision by requiring action to establish and increase community-based service mechanisms.

This legislation will assist thousands of Americans with disabilities requiring long-term services and supports and encourage the states to do the same. Legal recognition and protection is the first step in securing equality in long term services and supports throughout the country for disabled Americans. This act will have a profound impact on the individuals with disabilities, including those whose lives have been changed by brain injury, and for the community at large. For these reasons, we urge the prompt enactment of this legislation.