



## Latonya Reeves Freedom Act

*U.S. Senator Michael Bennet*

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In the United States, over a quarter of individuals, or 70 million people, are [living with a disability](#). In 1999, the U.S. Supreme Court held in [Olmstead v. L.C. \(Olmstead\)](#) that individuals with disabilities have a qualified right under Title II of the *Americans with Disabilities Act* (ADA) to receive support and services while living in the community of their choosing. This landmark decision has helped assure people that they will not be forced into institutions, including psychiatric hospitals and nursing homes.

The Latonya Reeves Freedom Act would protect and expand the civil right of Americans with disabilities to receive long-term services and support (LTSS) in the setting of their choice. It is named to honor a Coloradan who, after being institutionalized as a child, moved from Tennessee to Denver when she faced forced placement in a nursing home because she could not obtain the services and support she needed to live independently.

The bill would help enable individuals with disabilities to live independent lives in their communities by:

- Establishing a comprehensive state planning requirement with enforceable and measurable objectives to transition individuals with disabilities out of institutions and into the most integrated setting, if they choose that transition;
- Preventing state governments and insurers from engaging in discriminatory practices, policies, or rules that would prevent an eligible individual from receiving community-based LTSS;
- Identifying and addressing disparities in the provision of community-based LTSS; and
- Accelerating state compliance with the integration mandate of the ADA.

The bill would also guarantee minimum requirements for coverage of LTSS, regulated by the U.S. Attorney General. Public entities and LTSS insurance providers would be required to conduct evaluations of their current practices and policies, identify gaps in their systems, and implement a transition plan that addresses barriers to community living. The Department of Health and Human Services would review, approve, and support these transition plans.

More than two decades after the Olmstead decision, Americans with disabilities are still fighting for their right to receive services and support where they prefer. The Latonya Reeves Freedom Act would help accelerate compliance with the ADA and help individuals with disabilities live independently in their own homes and communities.