

# New York State Coalition for Adult Home Reform

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## NEWS RELEASE

### **Adult Home Advocates Call on Governor to Fully Comply with Court Ruling Charging He Must Find the Political Will to Redirect Adult Home Dollars**

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At the same time that adult home residents with psychiatric disabilities and their supporters demonstrated outside Governor David Paterson's New York City offices, statewide leaders of groups echoed their demand this morning in Albany that the Governor fully comply with a federal court order to move upwards of 4,300 NYC-based residents to more appropriate community housing and supports.

On September 8, 2009, federal district judge Nicholas G. Garaufis ruled that New York State was violating the Americans with Disabilities Act by isolating individuals with psychiatric disabilities in privately run adult homes rather than integrating them into the community. On November 13th, the Governor responded with a plan to provide community housing and supports for only 1,000 adult home residents over a 6 year period rather than 4300 residents over a 4 year period as recommended by the Judge. Today, the Judge is due to review both the State's plan and the plaintiff's response.

At the same time City demonstrators were chanting "Residents Should No Longer Have to Wait, Paterson's Plan is Too Little Too Late!," the Albany advocates rejected claims by the Governor that an appropriate remedy is too costly, urging him to redirect the funds that currently support the residents in adult homes into the community settings they prefer and to which they have a legal right.

"There are ample funds in what we currently spend to support the residents in the adult homes to support their rightful, appropriate and long awaited re-entry into the community," said Karen Schimke, executive director of the Schuyler Center for Analysis and a member of the state Adult Care Facilities Work Group that was convened by the Pataki Administration in 2002 following Pulitzer Prize winning reports in the New York Times of scandalous conditions in the homes.

She pointed to court documents demonstrating that the state has poured millions of dollars into adult facilities that were never designed to house and appropriately serve this population.

"We've spent millions upon millions increasing SSI payments to pay the rent, putting in mental health support staff and services to supplement missing treatment and underwriting the costs of basic conditions like air conditioning and improved nutrition," Schimke said. "We must stop this mounting misinvestment in inappropriate settings that violate the residents' ADA rights."

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**NYSCAHR Members:** Association for Community Living • Community Access • Coalition of Institutionalized Aged & Disabled • Long Term Care Community Coalition • Long Term Care Ombudsman Program of Suffolk County • Mental Health Association of New York City • Mental Health Association in New York State • Mental Health Association of Westchester • Mental Health Empowerment Project, Inc. • MFY Legal Services • New York Association of Psychiatric Rehabilitation Services • New York State Council for Community Behavioral Healthcare • Schuyler Center for Analysis and Advocacy • UJA – Federation of New York • Venture House • West Side Federation for Senior and Supportive Housing, Inc.

The advocates charged that through their response the Administration was bowing to pressure from the powerful adult home industry in ways that both denies residents their rights while continuing to spend precious state dollars in ways that do not benefit residents.

“This is not a matter of money, it’s a matter of political will,” charged Harvey Rosenthal, executive director of the New York Association of Psychiatric Rehabilitation Services who also served on the Work Group. “To bring justice to the residents in a way that spends taxpayer dollars most wisely, the Governor must be willing to take on the industry and close adult home beds we never should have used in the first place to house this group.”

The advocates also rejected state claims that the transition process to afford residents alternative community housing was a complex one that had to move at a very slow pace.

“There are several resources that the state has available to them now to better coordinate a process to insure residents can transition to more independent housing” said Glenn Liebman, executive director of the Mental Health Association of New York State.

“They have already compiled survey results identifying which residents can and want to leave now,” said Liebman. “They can redeploy the mental health case managers and redirect special DOH dollars (QUIP and ENABLE funds) to provide the residents with a plan that will insure a rapid and successful transition to independent housing.”

Schimke and Rosenthal also blasted the state’s claims that transitioning 1,000 residents over 6 years more than satisfied the Work Group’s 2002 recommendations - that in actuality found that 800 residents could have been transitioned immediately and that an additional 5,200 should have followed over the succeeding 6 year period.

“Ironically, had the state followed our original recommendations, all 6,000 would have been moved into the community by now,” said Schimke.