

~~WHEREAS, Substantial cost will be incurred to bring the Rosewood Center into compliance with State and federal requirements; and~~

~~WHEREAS, Studies overwhelmingly demonstrate that individuals with developmental disabilities thrive and do better living with home and community based supports; and~~

~~WHEREAS, The policy of the State, expressed in § 7-102 of the Developmental Disabilities Law, is to support and provide resources to operate community services to sustain individuals with developmental disability in the community, rather than in institutions; and~~

~~WHEREAS, The U.S. Supreme Court concluded in the 1999 case of Olmstead v. L.C. that individuals with disabilities residing in institutions have a right to live in the most integrated setting appropriate to the individual's needs; and~~

~~WHEREAS, The Olmstead decision encourages states to develop and implement a plan that ensures that institutionalized individuals receive services in the most integrated setting appropriate to each individual's needs; and~~

~~WHEREAS, The State developed such a plan in the Final Report of the Community Access Steering Committee, but little progress has been made in implementing the plan; and~~

~~WHEREAS, 200 individuals currently reside at the Rosewood Center, including individuals placed under court order; and~~

~~WHEREAS, Less restrictive and more appropriate evaluation and service models exist for persons with cognitive and developmental disabilities, including those who are under court order; and~~

~~WHEREAS, The Department determined in 2004 that: (1) if a State residential center were to be closed, the Department would recommend the Rosewood Center; and (2) closure of the Rosewood Center would yield the most savings to the State; and~~

~~WHEREAS, The Department's January 2004 Report on Closure of a Residential Facility for People with Developmental Disabilities stated that "... the Central Region ... provider community has the capacity, experience and expertise to serve all the residents of Rosewood" and that "the Central Region has a wealth of medical resources, more available housing, entertainment, job opportunities, more public transportation, and a host of other features that make it a more desirable and easier place to help people find lives in the community"; and~~