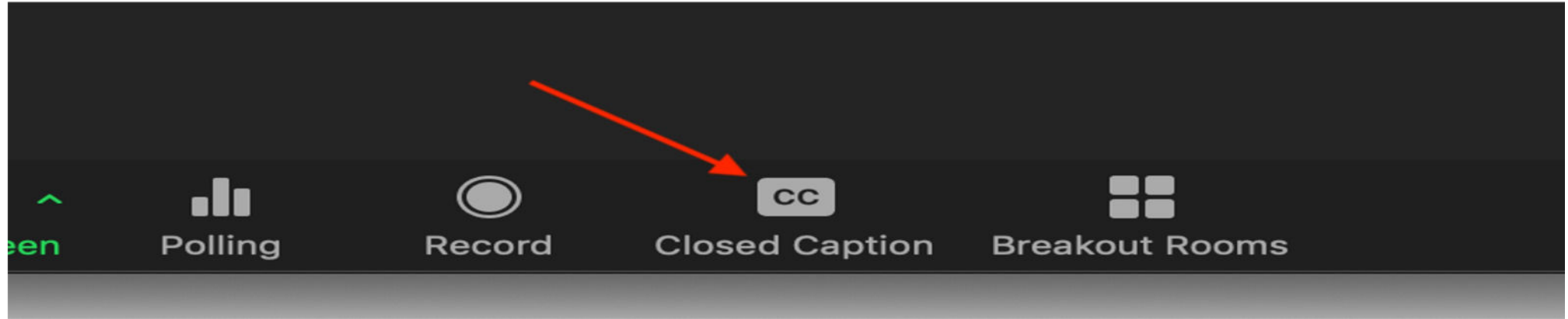




The Community Integration Mandate

October 6th, 2026

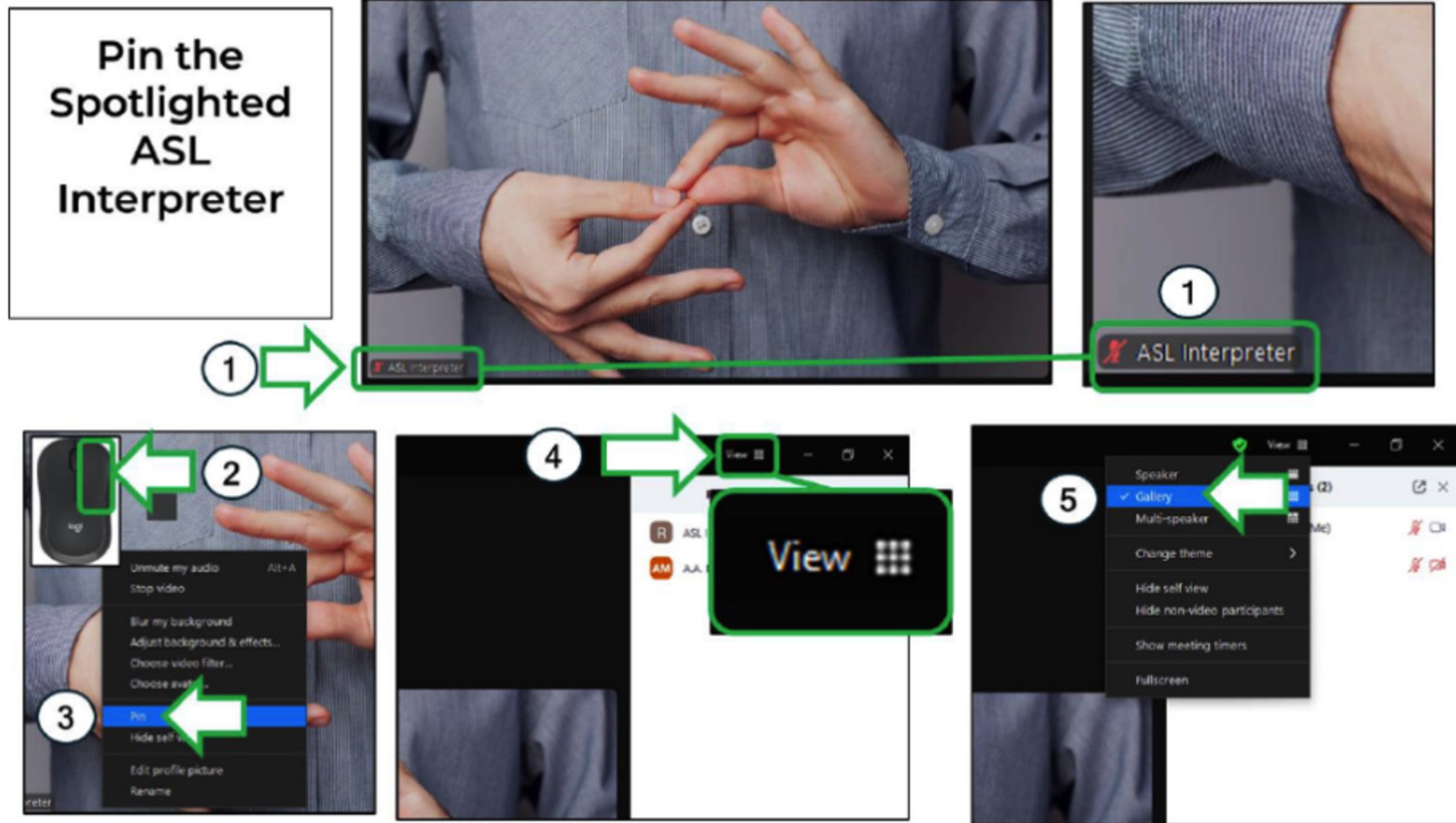
Housekeeping



- Turn captions on
- Take care of yourself
- We will take questions at the end

Please keep the chat to a minimum – it is disruptive for anyone using a screen reader.

Pin the ASL Interpreter



Introductions

Speakers:

Carrie Carlson, Director of Community Engagement

Justine Hrvatin, Director of Public Policy

Sarah Sampson, Executive Director

Agenda

- Carrie - Community Integration Mandate - Past
- Justine - DOJ Memos, Texas v. Kennedy, Bipartisan House Resolution - Present
- Sarah - Disability Advocate Response, AAPD, other states, family concern - Future

Past

What is Community Integration

Why is it important

Where it all started

What does community integration mean?

Community integration for people with disabilities means living, working, and taking part in everyday community life side by side with people who do not have disabilities - [DREDF](#)

Where the Integration Mandate all Started

- Been the law since 1977 (almost 50 years)
- First appeared in Health and Human Services (HHS) Department, Section 504 regulation for grantees.
- 1990 after the ADA was passed, it was written in the Title II (State and Local Gov't)
- the Integration Mandate is in the laws and the statutes of Section 504 & the ADA.

The Integration Mandate

Both the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act contain integration mandates:

- **Bans the unnecessary segregation** of people with disabilities
- **State and local governments that provide** services to people with disabilities, must offer those services in people's homes and communities – not just in institutions ~ [ADA](#)

Key Principles

- **Prohibition of Segregation:** Unjustified institutionalization or isolation of individuals with disabilities is considered a form of unlawful discrimination.
- **The Olmstead Standard:** Community-based placement is required if it is appropriate for the individual's needs, the individual does not oppose it, and it can be reasonably accommodated using available state resources.
- **Access to Services:** Individuals have a right to home and [Community Living and Olmstead](#) support systems that enable them to live and work as independently as possible.

Segregated Settings

Places where people with disabilities live, work, or spend most of their time with other people with disabilities, other than non-disabled paid staff. These settings:

- tend to limit a person's ability to go out in the community and mainly offer group activities and community outings;
- lack privacy; limit when or how often a person can have visitors; or
- have a lot of rules, like about when a person can eat, bathe, groom, get dressed, or go out.

Examples include mental health facilities, nursing homes, and intermediate care facilities.

Community-based Services

Nursing services - nurse who comes to your house for ventilator or tracheostomy care

Personal care services/DSP's - ADLs (activities of daily living) bathing/dressing

Mental health services - counseling or ACT (Assertive Community Treatment)

Medication management - help taking medicine or reminders to take medicine

Peer mentorship - help from a person with lived experience who can model and support self-advocacy

Caregiver supports - mentorship, training, and respite

Home modifications - installing a ramp or widening a door

Housing services - help finding, moving, and remaining in community-based housing

Funded by federal, state, and local dollars!

Olmstead Started with Two Women

Both women:

- Had intellectual disabilities and mental health disabilities
- Were living in institutions
- Confined to a Georgia State Psychiatric hospital for months, and sometimes years after they had been cleared for discharge.

The Ladies of Olmstead



Lois Curtis



Elaine Wilson

Olmstead Confirmed the Integration Mandate

Olmstead v, L.C. is a landmark Supreme Court decision.

In 1999 United States Supreme Court ruled that under the Americans with Disabilities Act (ADA), the unjustified institutionalization of people with disabilities is a form of discrimination ~ [ADA](#)

Department of Justice (DOJ) June 2026

- June 18, 2026, DOJ's Office of Legal Counsel issued a new opinion taking a different view on Olmstead.
- DOJ now argues that the ADA and Section 504 do not require states to provide services in the most integrated setting in the broad way DOJ previously interpreted them.

Why is this memo important?

For years, states *could* violate the ADA by:

- institutionalizing people unnecessarily
- through service systems, funding decisions, waiting lists, or cuts that put people at serious risk of institutionalization



The Olmstead ruling changed this.



The new memo is a reversal of feds' previous interpretation of Olmstead.

Texas v. Kennedy

What is it?

- lawsuit challenging parts of the federal government's 2024 Section 504 rules.
- does not overturn *Olmstead* or the ADA,

What are the 2024 Section 504 rules?

Updated regulations on how the ban on disability discrimination applies to health and human services programs that receive HHS funding

In August 2026, the feds joined the states in asking the court to remove the community-integration language from those Section 504 regulations.

Texas v. Kennedy Update

What happened?

On September 23, 2026, a federal judge removed parts of the 2024 Section 504 rules

What does this mean?

Section 504, the ADA, and the *Olmstead* Supreme Court decision are **still in place**. People with disabilities still have legal protections against unnecessary institutionalization.

What does all this mean for Tennessee?

Can people with disabilities still bring Olmstead claims?

Yes, people with disabilities can still bring Olmstead claims. The DOJ's June 2026 opinion or July 2026 Federal Register notice don't erase the ADA, Section 504, or the right to challenge unnecessary institutionalization.

Watch out for Medicaid Cuts.

Public services in Tennessee law supports community-based services.

- Long-term supports and services (LTSS)
- CHOICES
- Employment and Community First (ECF) Choices
- Katie Beckett
- OPTIONS for Community Living
- Family Support Program

Community and Agency Responses

- Community concerns - Self Advocates, Families, Disability Organizations and Beyond
- American Association of Persons with Disabilities (AAPD) <https://www.aapd.com/>
- Family Voices National Statement <https://familyvoices.org/family-voices-response-to-the-department-of-justices-legal-opinion-memorandum/>
- The Arc of the United States - the DOJ opinion explained: <https://thearc.org/blog/doj-opinion-on-olmstead-threatens-the-right-of-people-with-disabilities-to-live-in-the-community/>
- Tennessee Council on Developmental Disabilities newsletter: Jolene Sharp, Chief Strategy Officer
- NAACP - one of the oldest and largest civil rights organizations in the United States that advocates for civil rights and social justice - views the landmark 1999 Supreme Court decision Olmstead v. L.C. as one of the most critical civil rights rulings in American history, frequently highlighting the deep intersection between disability rights and racial justice.

Resources

- American Association of Persons with Disabilities (AAPD) webinar
https://youtu.be/H7AFrTff67E?si=4_OUQz9zCro9ZABX
- Autistic Self Advocacy Network plain language resource
<https://autisticadvocacy.org/actioncenter/issues/community/rule/>
- OlmsteadRights.org: plain-language information and self-advocacy tools
<https://www.olmsteadrights.org/faq/>
- Disability Rights Tennessee: help understanding and defending your rights
<https://www.disabilityrightstn.org/>
- Tennessee Centers for Independent Living: <https://www.silctn.org/>

TN Disability Coalition Plans

- Organizing members
- Send a letter to TN Delegation in US Congress, Letter to TN Department of Disability & Aging Commissioner, Letter to TN Department of Mental Health and Substance Abuse Services Commissioner
- Developing educational resource for the community
- Call to action for the community to share about community services that matter to them with TN state legislators

What can you do?

Take 2 minutes. Contact your legislator.

Your story is the single most powerful tool we have. Find your state legislator's contact information using this link: <https://wapp.capitol.tn.gov/apps/fml/search>

For tips on what you could write, check out our template letter available at: www.tndisability.org

Need help or want to learn more?

- Disability Rights Tennessee: help understanding and defending your rights: <https://www.disabilityrightstn.org/>
- Tennessee Justice Center: <https://www.tnjustice.org/freehelp>
- OlmsteadRights.org: plain-language information and self-advocacy tools: <https://www.olmsteadrights.org/faq/>
- Tennessee Centers for Independent Living: <https://www.silctn.org/>

Questions?

If we don't have enough time to answer your questions today, please contact Justine Hrvatin via email at: justine_h@tndisability.org or 615-383-9442

Thank you!

