

1 A JOINT RESOLUTION directing the Cabinet for Health and Family Services to
2 study alternatives to institutionalized care for individuals with intellectual or
3 developmental disabilities and complex medical needs.

4 WHEREAS, the 1999 U.S. Supreme Court decision in *Olmstead v. L.C.* held that
5 individuals with disabilities have the qualified right to receive state-funded supports and
6 services in the community rather than in institutions; and

7 WHEREAS, intermediate care facilities provide comprehensive and individualized
8 healthcare, training, and rehabilitation services to individuals to promote their function
9 skills and independence; and

10 WHEREAS, in 2019, 436 individuals living with disabilities resided in intermediate
11 care facilities across the state; and

12 WHEREAS, in Kentucky the aggregate cost per capita, per month of providing
13 services in an institution during a 12-month period is \$29,309 and \$6,785 per capita, per
14 month of providing support though the Supports for Community Living Waiver,
15 including exceptional supports, during a 12-month period; and

16 WHEREAS, in 2019, for the 436 individuals residing in intermediate care facilities
17 the total cost was \$141,564,563 and for 4,825 individuals with a Support for Community
18 Living waiver the total cost was \$382,289,054; and

19 WHEREAS, Kentucky currently participates in a Money Follows the Person
20 demonstration grant program funded by the federal Centers for Medicare and Medicaid
21 Services for the purpose of transitioning individuals out of institutions and into less-
22 restrictive settings; and

23 WHEREAS, developing a high-intensity group home pilot program would provide
24 community access versus isolation, access to integrated healthcare, individualized,
25 person-centered behavior support plans, and community socialization and integration for
26 those residing in them;

27 NOW, THEREFORE,

1 ***Be it resolved by the General Assembly of the Commonwealth of Kentucky:***

2 ➔Section 1. The Cabinet for Health and Family Services is hereby directed to
3 study alternatives to institutionalized care for individuals with intellectual or
4 developmental disabilities and complex medical needs and to explore strategies for
5 reducing the number of Kentuckians currently residing in intermediate care facilities. This
6 study shall include an assessment of the feasibility of developing and operating a multi-
7 year high-intensity group home pilot program for adults with intellectual or
8 developmental disabilities and complex medical needs that would serve at least 12
9 individuals in four- or six-person group homes with at least a one-to-one staff to resident
10 ratio. The cabinet shall collaborate with stakeholders representing private providers,
11 community mental health centers, and consumers and their families.

12 ➔Section 2. The Cabinet for Health and Family Services shall submit its findings
13 regarding alternatives to institutionalized care, strategies for reducing the number of
14 Kentuckians currently residing in intermediate care facilities, and the feasibility of a high-
15 intensity group home pilot program to the Legislative Research Commission, the Interim
16 Joint Committee on Health, Welfare, and Family Services, and the Medicaid Oversight
17 and Advisory Committee no later than November 1, 2021.