

# Trends & Milestones

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## States' Initial Response to the President's New Freedom Initiative: Slowest Rates of Deinstitutionalization in 30 Years

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On February 1, 2001, President George W. Bush announced The New Freedom Initiative (NFI), promising to promote “full access to community life” through, among other things, “swift implementation of the *Olmstead* decision” (White House, 2001). In the *Olmstead et al. v. L.C. et al.* decision (1999), the Supreme Court ruled that Title II of the Americans With Disabilities Act (ADA) required states to provide the services, programs, and activities developed for persons with disabilities in the “most integrated setting appropriate” because “unjustified isolation or segregation of qualified individuals with disabilities through institutionalization is a form of disability-based discrimination prohibited by Title II of the Americans With Disabilities Act of 1990.” In Executive Order 13217, President Bush committed the Executive Branch of the United States government to the principal findings of *Olmstead* and stipulated that “the United States is committed to community-based alternatives for individuals with disabilities and recognizes that

such services advance the best interests of Americans” (Bush, 2001). He called on federal departments to “work with States to help them assess their compliance with the *Olmstead* decision and the ADA” and to assist them in “removing barriers that impede opportunities for community placement.”

Paradoxically, the announcement of the NFI has been followed by the smallest reductions in state institution residents with intellectual and developmental disabilities (ID/DD) in 30 years, both in terms of numerical reductions and in percentage rates of decline. Figure 1 shows the total size of reductions in average daily populations (ADPs) in 3-year periods beginning in state fiscal year (FY) 1968, the first year in which U.S. state institution populations decreased, through FY 2003. It also shows the decreases in ADPs during each 3-year period as a percentage of the population of the immediately preceding year. As shown, the total reduction in state institution ADPs in the FY 2001–

**Table 1** Average Daily Populations of State Institutions and Percentage Changes, 1980–2003

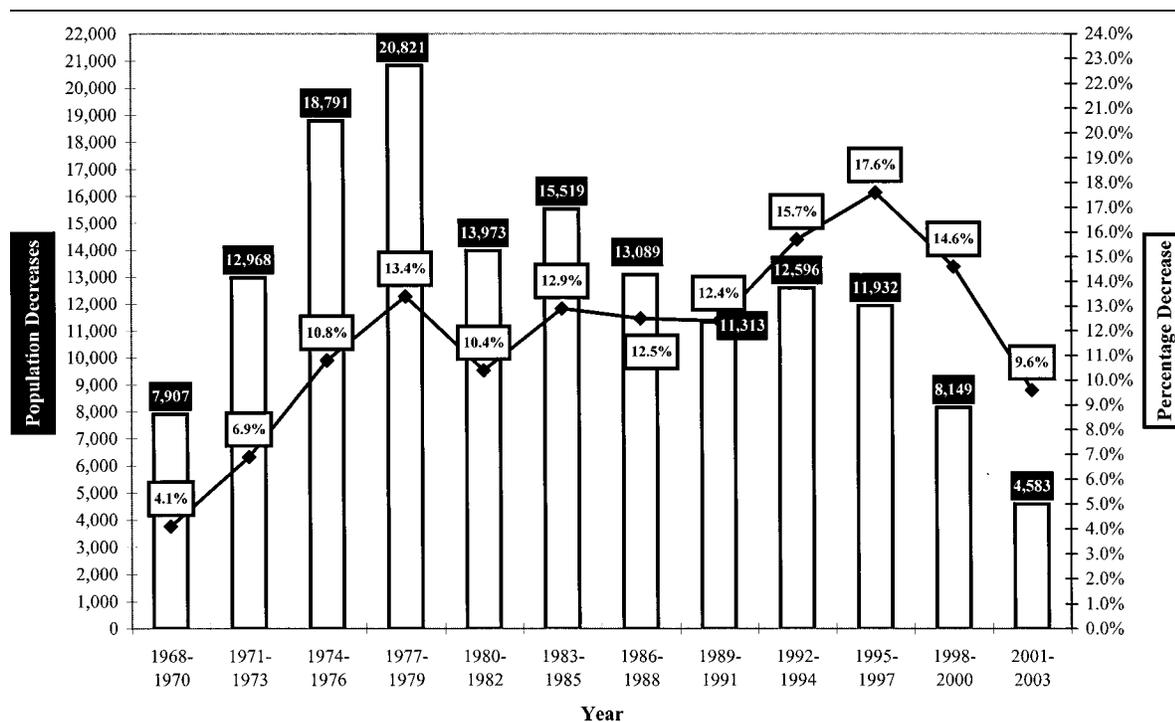
State	Average daily population				Change (%)		
	1980	1990	2000	2003	1980–2003	1990–2003	2000–2003
AL	1,651	1,305	642	377	–77.2	–71.1	–41.3
AK	86 <sup>a</sup>	58	0	0	–100.0	–100.0	NA <sup>b</sup>
AZ	672	360 <sup>a</sup>	166	149	–77.8	–58.6	–10.2
AR	1,550	1,260	1,229	1,123	–27.5	–10.9	–8.6
CA	8,812	6,768	3,879	3,606	–59.1	–46.7	–7.0
CO	1,353	466 <sup>a</sup>	129	104 <sup>a</sup>	–92.3	–77.7	–19.4
CT	2,944	1,799	992	887	–69.9	–50.7	–10.6
DE	518	345 <sup>a</sup>	256	170	–67.2	–50.7	–33.6
DC	775	309 <sup>a</sup>	0	0	–100.0	–100.0	NA
FL	3,750	1,992	1,508	1,521	–59.4	–23.6	0.9

Table 1 continued

**Table 1** Continued

State	Average daily population				Change (%)		
	1980	1990	2000	2003	1980-2003	1990-2003	2000-2003
GA	2,535	2,069	1,510	1,333	-47.4	-35.6	-11.7
HI	432	162	0	0	-100.0	-100.0	NA
ID	379	210	110	104	-72.6	-50.5	-5.5
IL	6,067	4,493	3,237	2,952	-51.3	-34.3	-8.8
IN	2,592	1,940 <sup>a</sup>	854	612	-76.4	-68.5	-28.3
IA	1,225	986	674	672	-45.1	-31.8	-0.3
KS	1,327	1,017 <sup>a</sup>	379	368	-72.3	-63.8	-2.9
KY	907	709	628	543	-40.1	-23.4	-13.5
LA	2,914	2,622	1,749	1,682	-42.3	-35.9	-3.8
ME	460	283	0	0	-100.0	-100.0	NA
MD	2,527	1,289	548	421	-83.3	-67.3	-23.2
MA	4,531	3,000	1,306	1,155	-74.5	-61.5	-11.6
MI	4,888 <sup>a</sup>	1,137 <sup>a</sup>	271	164	-96.6	-85.6	-39.5
MN	2,692	139	422	33	-98.8	-97.6	-21.4
MS	1,660	1,498	1,383	1,378	-17.0	-8.0	-0.4
MO	2,257	1,860 <sup>a</sup>	1,286	1,247	-44.7	-33.0	-3.0
MT	316	235	131	115	-63.6	-51.1	-12.2
NE	707	466	401	386	-45.4	-17.2	-3.7
NV	148	170	157	116	-21.6	-31.8	-26.1
NH	578	87	0	0	-100.0	-100.0	NA
NJ	7,262	5,069	3,555	3,218	-55.7	-36.5	-9.5
NM	500	500	0	0	-100.0	-100.0	NA
NY	15,140	7,694	2,466	2,261	-85.1	-70.6	-8.3
NC	3,102	2,654	1,939	1,863	-39.9	-29.8	-3.9
ND	1,056	232	144	147	-86.1	-36.6	2.1
OH	5,045	2,665 <sup>a</sup>	1,996	1,893	-62.5	-29.0	-5.2
OK	1,818	935	391	366	-79.9	-60.9	-6.4
OR	1,724	838	62	50	-97.1	-94.0	-19.4
PA	7,290	3,986	2,127	1,577	-78.4	-60.4	-25.9
RI	681	201	0	0	-100.0	-100.0	NA
SC	3,043	2,286	1,129	1,002 <sup>a</sup>	-67.1	-56.2	-11.2
SD	678	391	196	183	-73.0	-53.2	-6.6
TN	2,074	1,932	948	758	-63.5	-60.8	-20.0
TX	10,320	7,320 <sup>a</sup>	5,431	5,011	-51.4	-31.5	-7.7
UT	778	462	240	230	-70.4	-50.2	-4.2
VT	331	180	0	0	-100.0	-100.0	NA
VA	3,575	2,650	1,625	1,581	-55.8	-40.3	-2.7
WA	2,231	1,758	1,143	1,043	-53.2	-40.7	-8.7
WV	563	304 <sup>a</sup>	0	0	-100.0	-100.0	NA
WI	2,151	1,678 <sup>a</sup>	900	791	-63.2	-52.9	-12.1
WY	473	367	113	97	-79.5	-73.6	-14.2
U.S. total	131,088	84,389	47,872	43,289	-67.0	-48.7	-9.6

<sup>a</sup>Estimate. <sup>b</sup>Not applicable.



**Figure 1** Decreases in state institution average daily populations in 3-years periods, 1968–2003.

2003 period (4,583 people) was by far the smallest of any 3-year period since state institution populations began to decrease in FY 1968, barely one half (58.0%) of the next smallest total for a 3-year period (7,907 in FY 1968–1970). As a proportional decrease, the FY 2001–2003 decrease (9.6%) was smaller than any period since FY 1971–1973 (6.9%), 30 years earlier. Of the individual years in the FY 2001–2003 period, FY 2003 had the smallest decrease in institution residents. The FY 2003 decrease in ADPs of state institutions (1,054) was the smallest since 1968 (960) and the smallest proportional decrease (2.4%) of any year since FY 1972 (1.6%).

Table 1 identifies the relative contributions of individual states to the progress in deinstitutionalization called for in the New Freedom Initiative. It shows state-by-state ADP trends over various periods between FY 1980 and FY 2003, including between FY 2000 and FY 2003. Since FY 1980, there has been a more than two thirds reduction (67.0%) in the ADPs of state institutions nationwide, with 8 states and the District of Columbia ending state institution placements altogether. Between FY 1990 and FY 2003, state institution ADPs were nearly

halved (–48.9%). Between FY 2000 and FY 2003, state institution ADPs decreased by 9.6%, an average of 3.2% per year as compared with 4.3% between FY 1990 and FY 2000. Recent patterns in ADPs suggest that deinstitutionalization will occur at increasingly slow rates without changes in those patterns. The 22 states with ADP decreases below the national average reduced their ADPs by an average of 6.1% between FY 2000 and FY 2003. This compares with an average of 19.0% in all other states. The vast majority of the 22 slowest changing states (16) were below the national average rate of state institution depopulation between FYs 1990 and 2000 as well, a notable exception being New York, which before FY 2001, was well above the national average. As a result of these states’ long-term patterns of generally slow depopulation, by FY 2003 they housed 75.9% of all state institution residents, an increase from 73.0% in FY 2000 and 64.0% in 1990. Clearly, without new priorities, incentives, and/or expectations, the increasing concentration of state institution residents in those states with the lowest rates of deinstitutionalization will continue to impede access to the “community-based alternatives” to which President Bush in the

New Freedom Initiative declared the United States to be committed.

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