Permanency Planning for Children with Developmental Disabilities

Section 531.152 Texas Government Code
“It is the policy of the state to strive to ensure that the basic needs for safety, security, and stability are met for each child in Texas. A successful family is the most efficient and effective way to meet those needs. The state and local communities must work together to provide encouragement and support for well-functioning families and ensure that each child receives the benefits of being a part of a successful permanent family as soon as possible.”

Section 531.060 Texas Government Code
Tracking of children in facilities and creation of family-based alternatives
**Children with DD Living in Facilities**

<table>
<thead>
<tr>
<th>Institution Type</th>
<th>Baseline Number 8/31/2002</th>
<th>Number as of 8/31/2017</th>
<th>Percent Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nursing Facilities</td>
<td>234</td>
<td>69</td>
<td>-71%</td>
</tr>
<tr>
<td>Small ICF/IID</td>
<td>418</td>
<td>158</td>
<td>-62%</td>
</tr>
<tr>
<td>Medium ICF/IID</td>
<td>39</td>
<td>34</td>
<td>-13%</td>
</tr>
<tr>
<td>Large ICF/IID</td>
<td>244</td>
<td>32</td>
<td>-88%</td>
</tr>
<tr>
<td>SSLC</td>
<td>244</td>
<td>173</td>
<td>-28%</td>
</tr>
<tr>
<td>DITPS – Licensed ID Inst.</td>
<td>73</td>
<td>45</td>
<td>-38%</td>
</tr>
<tr>
<td>HCS Group Home (3&amp;4)</td>
<td>312</td>
<td>657</td>
<td>111%</td>
</tr>
<tr>
<td>Total</td>
<td>1,581</td>
<td>1,148</td>
<td>-27%</td>
</tr>
<tr>
<td>Total Excluding HCS</td>
<td>1,269</td>
<td>491</td>
<td>-61%</td>
</tr>
</tbody>
</table>

**EVERYCHILD – Family-Based Alternatives**

Assist children with developmental disabilities to live in families instead of institutions.
Work directly with children, families, guardians to develop options for children who can’t live at home.
Work with providers to develop alternate families.
Work with state agencies on development of policies.

| 555 Number of children we have helped move or be diverted from institutions to families | 36% Percent of children EveryChild helped return home | 64% Percent of children EveryChild helped move to a Support Family | 61% Overall decrease in number of children with disabilities living in Texas institutions since 2002 |

Help every child grow up in a family.
Every child needs a family, and there is a family for every child.

**Community Integration, Olmstead Supreme Court Ruling and Texas Promoting Independence Plan**

On June 22, 1999, the United States Supreme Court held in Olmstead v. L.C. that unjustified segregation of persons with disabilities constitutes discrimination in violation of Title II of the Americans with Disabilities Act.

[https://www.olmsteadrights.org/](https://www.olmsteadrights.org/)
Community Integration, Olmstead Supreme Court Ruling and Texas Promoting Independence Plan

Two Evident Judgments
First, "institutional placement of persons who can handle and benefit from community settings perpetuates unwarranted assumptions that persons so isolated are incapable of or unworthy of participating in community life."

Second, "confinement in an institution severely diminishes the everyday life activities of individuals, including family relations, social contacts, work options, economic independence, educational advancement, and cultural enrichment."

Texas Promoting Independence Plan

Texas' Response to the Olmstead Decision – developed in 2002 to ensure individuals with disabilities have support to move from institutions to the community.

Priority Groups in Texas Promoting Independence Plan
- Children Living in DFPS General Residential Operations
- Children Aging Out of Foster Care
- Children in Crisis

https://hhs.texas.gov/doing-business-hhs/provider-portals/resources/promoting-independence-

Promoting Independence - Resources for Children in Conservatorship

Home and Community-Based Services (HCS) Waivers
- Long Term Services in the Home
- Host Home Services

Medicaid State Plan Services
- Community First Choice
HCS- Home and Community-Based Services

Alternative to ICF group home for children and adults
Does not consider parental income
Developmental disability with IQ below 70 or a Related Condition and an IQ below 75
IQ not considered for those individuals who meet medical necessity for nursing facility

<table>
<thead>
<tr>
<th>Key Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Host Home</td>
</tr>
<tr>
<td>Supported Home Living</td>
</tr>
<tr>
<td>Respite</td>
</tr>
<tr>
<td>Supported Employment and Employment Assistance</td>
</tr>
<tr>
<td>Nursing</td>
</tr>
<tr>
<td>Therapy</td>
</tr>
</tbody>
</table>

Medicaid State Plan
Community First Choice

- Community First Choice was added to the Medicaid State Plan on June 1, 2015 and offers personal assistance services and habilitation for individuals who qualify including individuals with developmental disabilities.
- Individual must have Medicaid and meet eligibility criteria for a nursing facility, intermediate care facility, or residential treatment center.
- Children and young adults under the age of 21 contact STAR Health Service Coordinator. You can also contact LIDDA.
  https://www.dads.state.tx.us/contact/search.cfm

Children Living in General Residential Operations
Children Aging Out of Care
Children in Crisis and At Risk of Relinquishment

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