

# Disability, Community Living, and the ADA

From the Community Living Policy Center



Americans with Disabilities Act  
1990-2020

## What does the Community Living Policy Center do?

The Community Living Policy Center, or CLPC, conducts research about the support systems that people with disabilities need to live, work, and connect with others in their own communities. These support systems include in-home supports, health care, and housing.

## How does the ADA affect community living?

The Americans with Disabilities Act protects people's right to use public spaces, seek employment, and receive services. These protections include nondiscrimination guidelines and reasonable accommodations. Moreover, in 1999, the Supreme Court ruled in *Olmstead v. L.C.* that people with disabilities have a qualified right to receive services and supports in the community rather than institutions. The Court used the ADA to make this ruling.

## Is there room for progress?

There is still an institutional bias with Medicaid, where states must provide institutional services while HCBS are voluntary to provide. There are wide variations in access to HCBS across states and populations needing long-term services and supports, or LTSS. Many federal programs that have helped states expand access to HCBS have expired or are set to expire.

## Medicaid LTSS Funding: 1990 and 2020

The ADA and **Olmstead** decision, coupled with federal programs and advocacy, have contributed to states expanding access to home and community-based services. In 1990, when the ADA was passed, only approximately 13% of total Medicaid long-term services and supports spending was for home and community-based services (HCBS). **Now more than 57% of total LTSS spending is for HCBS.**

