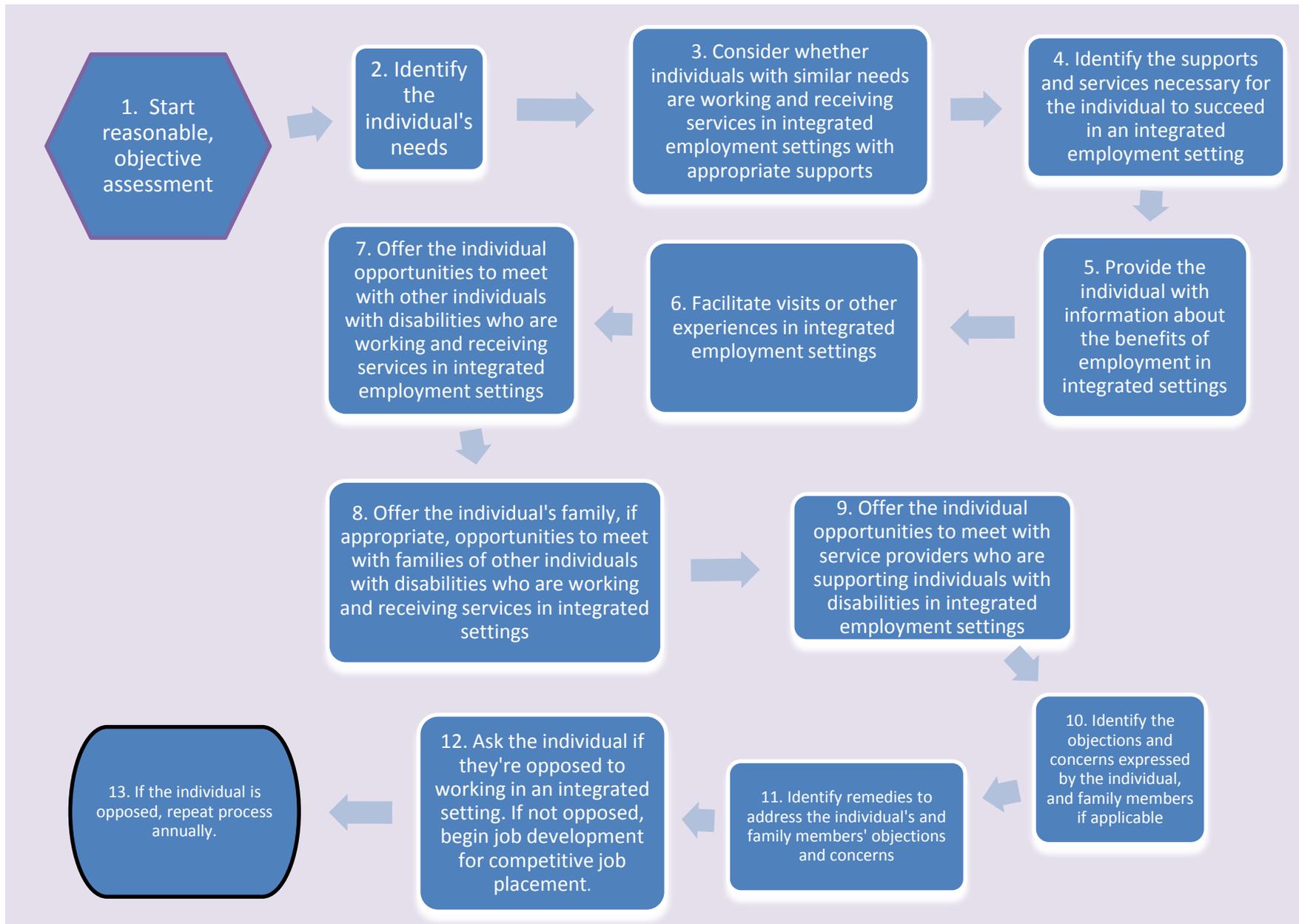


A Draft Informed Choice Process based on the *Statement of the Department of Justice on Enforcement of the Integration Mandate of Title II of the Americans with Disabilities Act and Olmstead v. L.C. (2011)*



Community-based Services shall be provided by public entities when...

- 1.) Community-based services are appropriate, based on a reasonable, objective assessment by a public entity's treating professional who is knowledgeable about the range of supports and services available in the community, including:
- Identification of the individual's needs; and
 - Supports and services necessary for them to succeed in an integrated setting; and/or
- 2.) People with disabilities present their own independent evidence of the appropriateness of an integrated setting, including:
- For example, individuals with similar needs are living, working and receiving services in integrated settings with appropriate supports;
 - Evidence may come from the individual's treatment provider, from a community-based organization that provides services to people with disabilities outside of an institutional setting, or from any other source; and

- 3.) The affected persons do not oppose community-based treatment after public entities have taken the following affirmative steps to provide informed decision-making:
- Provide information about the benefits of integrated settings;
 - Facilitate visits or other experiences in integrated settings;
 - Offer opportunities to meet with other individuals with disabilities who are living working and receiving services in integrated settings; and
 - Public entities also must make reasonable efforts to identify and address any concerns or objections raised by the individual or another relevant decision-maker; and
- 4.) Community-based services can be reasonably accommodated, taking into account the resources available to the public entity and the needs of others who are receiving disability services from the public entity.

<i>Integrated settings are those that...</i>	<i>Examples of Integrated and Segregated Settings</i>	
<input type="checkbox"/> Provide individuals with disabilities opportunities to live, work, and receive services in the greater community, like individuals without disabilities;	Integrated Settings	Segregated Settings
	Evidenced-based practices that provide scattered-site housing with supportive services	Congregate settings characterized by regimentation in daily activities, lack of privacy or autonomy, policies limiting visitors, or limits on individuals' ability to engage freely in community activities and to manage their own activities of daily living
	A person receives ongoing employment support services necessary to maintain his/her ticket-taker job at the local movie theatre.	Congregate settings populated exclusively or primarily with individuals with disabilities
		Settings that provide for daytime activities primarily with other individuals with disabilities