

# SHOULDN'T ALL 500,000+ TEXANS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES

Receive  
an equal  
education?

Make decisions  
about where  
to live?

Have equal  
access to  
justice?

Have a job with  
a fair wage?

## THEY DON'T.

We can change that together.



## The Arc of Texas



### achievable solutions

We work with Texans with intellectual and developmental disabilities (IDD) and their families to identify barriers to and solutions for inclusive education, competitive integrated employment, quality community-based services and supports, and access to civil rights and justice. As a statewide membership organization, we know that Texans with IDD and their families are the best source for achievable solutions.



### trusted experts

The Arc of Texas staff and members have a seat at the table among many state and local committees and boards. We've also been a trusted source for state media, including NPR, *The Texas Tribune*, Spectrum News, and *The Houston Chronicle*. We work tirelessly every day to be the experts on IDD who you can trust.

### BE OUR CHAMPION

The Arc of Texas can help connect you with your constituents with IDD and their families for information, stories, and legislative testimony. Together, we can identify what they need and provide you with the best resources and expertise for solutions that work.

**Email us:** [publicpolicy@thearcoftexas.org](mailto:publicpolicy@thearcoftexas.org)

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## What is IDD?

An *intellectual disability* occurs before age 18 and is characterized by significant limitations in both intellectual functioning and adaptive behavior, such as social and practical everyday living skills.

A *developmental disability* is a severe chronic disability attributable to a mental or physical impairment or combination of mental and physical impairments that manifests before age 22. Examples of developmental disabilities include autism spectrum disorder, Cerebral palsy, and Down syndrome.



# ENHANCE QUALITY OF LIFE FOR ALL TEXANS WITH IDD



When Texans with intellectual and developmental disabilities (IDD) receive the individualized supports and services they need, they're able to make their own decisions about how and where they want to live and the career they want to have.

## BACKGROUND

**Texans with IDD may require a wide variety of community services and supports**, such as an attendant who helps with intimate tasks like bathing and dressing to support staff who provide coaching on tasks like cooking and cleaning.

**Quality services and supports enhance the quality of life for Texans with IDD**, allowing them to live more independently and make their own choices.

**Private insurance does not cover long-term services and supports**, such as an attendant or job coach.

**Medicaid is the only way Texans with IDD can receive critical services and supports** to live, work, and participate in their communities.

**Since not all Texans with IDD have access to quality community services and supports, they face the possibility of institutionalization.**

Congregate-care settings like institutions—where COVID-19 can spread easily and rapidly—are high-risk places for contracting the virus. Plus, research shows that people with IDD who contract COVID-19 are at a higher risk of death than others with chronic health conditions.



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## Legislative Solutions

**Promote accessibility for all.** Ensure public meetings and advisory committees are accessible and allow for individualized supports, so Texans with IDD can exercise their rights to participate in policymaking.

**Strengthen Medicaid systems to cover gaps left by private insurance.** Adequately funding the interest list and diversion/transition waiver slots will expand the availability of fully inclusive community-living options.

*Need more information about the interest list, waiver slots, and research-backed community solutions? Contact us.*

**Ensure compliance with the federal Home and Community Based Services (HCBS) final rule.** Fully fund the transition from facility based day habilitation to an individualized community based service, so Texans with IDD can learn and enforce important skills that allow for a meaningful day.

*Looking for constituents who have benefited from the work of direct support professionals? Contact us.*

**Support the professionals who directly impact Texans with IDD.** Fund direct support professional rates and provide career advancement and leadership opportunities, so Texans with IDD receive person-centered planning and individualized supports.

**Include self-determination in long-term supports system planning.** In addition to health and safety, ensure managed care organizations are educated on the IDD population, trained in self-determination and person-centered planning, and regulated appropriately.

*Wondering what person-centered planning is and why it's important for the disability community? Contact us.*

**Promote independence for all Texans with IDD.** This includes responsibly utilizing state funding and taxpayer dollars

- So Texans with the most medically complex needs can live in their community
- To develop a sustainable, data-driven IDD Strategic Plan and system that promotes individual preferences and supports across individuals' lifespan
- To comply with the Supreme Court's Olmsted decision by creating a Promoting Independence Plan

# ENSURE CIVIL RIGHTS AND JUSTICE FOR ALL TEXANS WITH IDD



When Texans with intellectual and developmental disabilities (IDD) have equitable access to justice and services within the community, they are less likely to become victims of abuse and crime and more likely to civically participate in their community.

## BACKGROUND

**Texans with IDD are more likely than those without to be involved in the criminal justice system.** Research shows they are 10 times more likely to become a victim of crime and 2.5 times more likely to be a victim of a violent crime. They are also 7 times more likely to be a victim of sexual assault.

**Criminal justice professionals lack training about IDD.** This prevents individuals with IDD from receiving equitable access to justice.

**Texans with IDD frequently move through the criminal justice system without their disability being identified or supported,** either while seeking services as a victim or an alleged offender.

**People with IDD represent roughly 10% of the jail and prison population,** despite comprising up to 3% of the total U.S. population.

**People with IDD experience higher rates of mental health conditions than the general population, yet do not have access to appropriate mental healthcare.** And while people with IDD are more likely to have a co-occurring mental health condition, they often do not have access to appropriate mental healthcare.

**Texans with IDD face unnecessary obstacles when exercising their right to vote.** These include the ability to register to vote, apply for absentee ballots, and transport themselves to polling locations that are both accessible and accommodating.

**People with IDD have a higher rate of co-occurring mental health conditions than the general population.** Yet, they do not have proportionate access to timely and quality mental health services.

## Legislative Solutions

**Provide accommodations Texans with IDD need to fully participate in their own legal proceedings.**

This includes access to a supported decision making agreement and a supporter to interpret.

*Wondering what supported decision making agreements are and why they're important? Contact us.*

**Define intellectual and developmental disabilities appropriately and accurately.** This will eliminate unwarranted executions and bring Texas into compliance with federal law.

**Promote accurate identification of Texans with IDD entering the criminal justice system.** Support proper administration of jail screening forms and prompt distribution of data to Texas Health and Human Services.

*Need more information on the current identification process? Contact us.*

**Uphold existing voting rights for Texans with IDD.** Ensure the ability to vote privately and independently through access, accommodations, and support.

*Curious what we mean by "access, accommodations, and support"? Contact us.*

**Provide equitable access to quality and timely mental health services for adults with IDD.** Eliminate the barriers to community mental health care so all Texans with IDD can prosper within their communities.



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# ENSURE INCLUSIVE EDUCATION OF ALL STUDENTS WITH IDD



Inclusive education policies, starting with early childcare settings and continuing through postsecondary education, are necessary to assist Texans with intellectual and developmental disabilities (IDD) in reaching their full potential.

## BACKGROUND

**Special education is not a separate educational system**, but a support service provided to students with specific needs within the general education system.

**Students with disabilities learn best in inclusive settings** in their neighborhood schools.

**Inclusive education involves every student—regardless of the severity of a student’s disability**—participating and learning in the same school and with the same classmates as if they did not have a disability.

**Inclusive educational environments establish the foundation for society supporting the rights of all people** to live in their own homes and be competitively employed as contributing and valued members of the community.

## Legislative Solutions

**Serve the individualized needs of every student.**

Ensure students with disabilities are identified and evaluated as quickly as possible to receive a Free and Appropriate Public Education (FAPE) that is entitled to them by the Individuals with Disabilities Education Act (IDEA).

*Wondering how students and parents are experiencing special education services in Texas today? Contact us.*

**Ensure compensatory services are available and accessible.** Provide extra services to students who may need to catch up to reach their educational goals as a result of the pandemic.

*Looking for parents who have students who typically receive special education services and have been impacted by COVID-19? Contact us.*

**Incentivize supporting children with IDD in inclusive settings.** Remedy funding weights that are still skewed toward segregated instructional arrangements and do not provide enough incentives for school districts to fully implement least restrictive environments.



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# ENHANCE COMPETITIVE INTEGRATED EMPLOYMENT FOR TEXANS WITH IDD



Advance policies that improve competitive, integrated employment options for Texans with intellectual and developmental disabilities (IDD).

## BACKGROUND

**Work is a fundamental part of adult life.** For people with IDD, taking part in working life is an essential condition to equal participation in society.

**People previously considered “unemployable” can work, be productive, and can achieve independence.** Expanding occupational skills training programs that improve job preparedness and increase opportunities for gained experience among Texans with IDD is key in fostering economic competitiveness and development in Texas.

**Employment services funded by Medicaid waivers are extremely underutilized while day habilitation services are heavily utilized.** The low amount of funding for integrated employment services in Texas has contributed to a high percentage of people with disabilities spending their time in facility-based non-work settings, or day habilitation.

**There is a statewide shortage of well-trained benefits counselors to advise Texans with disabilities and their families.** Individuals are often kept in subminimum wage employment due to widespread misinformation regarding work and benefit eligibility for programs and services vital to their well-being.

## Legislative Solutions

**Expand initiatives that align with the Texas Employment First law and Medicaid home and community-based settings (HCBS) rule for people with disabilities.** Fully fund the transition from facility-based day habilitation to individualized community-based services, so Texans with IDD can learn and enforce important skills that allow for a meaningful day that includes employment.

*Looking for constituents who have successfully transitioned to meaningful employment? Contact us.*

**Fund employment supports first.** Support Texas's vision for a public system that funds employment supports first.

**Improve the availability of information.** Strengthen public awareness of work incentives and benefits planning for people with disabilities who receive

*Wondering why students receiving special education services are unaware of their postsecondary or employment options? Contact us.*



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