



Report Finds Limited Progress in SSLC Settlement Agreement

The State of Texas entered into a Settlement Agreement with the U.S. Department of Justice (DOJ) in June 2009 to address concerns and deficiencies in the state's 13 State Supported Living Centers (SSLCs). SSLCs, which are operated by the Texas Department of Aging and Disability Services, are institutions that provide campus-based direct services and supports to people with intellectual and developmental disabilities. The purpose of the Settlement Agreement is to:

- increase protections of SSLC residents;
- bring supports and services up to generally accepted professional standards of care;
- provide the most appropriate level of care to SSLC residents; and
- provide residents with information about and the choice to transition to the most integrated community placement possible.

The Settlement Agreement anticipated that Texas would implement all provisions of the Agreement at each of the SSLCs within four years of the Agreement's effective date, and sustained compliance with each provision for at least one year. The Settlement Agreement with the DOJ required independent monitors to provide an assessment of the status of compliance with its 20 substantive provisions after four years. Monitors' Four-Year Report to Court and Parties was released in June and provides explicit recommendations about how to improve SSLC services.

The Report identifies:

- existing obstacles to substantial compliance;
- areas where the Monitors believe action is needed across the entire SSLCs system; and
- significant progress that should lead to substantial compliance, as well as a description of substantial compliance achieved.

The Monitors provide overall comments, as well as recommendations for systemic actions, where appropriate.

The SSLCs have taken many actions to improve the quality and provision of protections, services and supports, and to work towards achieving substantial compliance. However, according to the report, the quality of service and support provided to residents varied across SSLCs and across Settlement Agreement provisions.

Overall, the SSLCs met the requirements for substantial compliance for about a quarter to one-third of the provisions. No SSLC exited from monitoring of any substantive provision, and only three SSLCs had achieved substantial compliance with any substantive section.

The monitors recommended that the state hire consultants to bring the state into compliance in three of the 20 substantive provisions:

- Section C - Protection from Harm – Restraints;
- Section T – Providing Services in the Most Integrated Setting Appropriate to Meet a Person’s Needs; and
- Section U - Consent.

According to the report, at this rate, it appears unlikely that the State will meet substantial compliance with the majority of provisions anytime soon.

Published October 31, 2014