



“Shut Them Down!”

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2021

Issue: 01

WHY it's Important



WHY?

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- State is Decades Behind - King 5 News
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- Costly, Out of Compliance, and Decertified - see chart from the Developmental Disabilities Administration 2020

What is the Shut Them Down Coalition?

This information is provided by the Shut Them Down coalition. Shut Them Down is a coalition of advocates with intellectual and developmental disabilities (IDD), family members, and organizations. We demand that the 4 remaining developmental disability institutions (Residential Habilitation Centers) be closed. Washington State must acknowledge the voices of people with lived experience and its own scientific findings. End the practice of segregation. It is time to “Shut Them Down!” We demand to be given the same opportunities and freedoms as all other citizens.



DRW has released [“Shut Them Down:” It's time to close Washington's Dangerous Residential Habilitation Centers](#), a report that calls out the continued failures of Washington's Residential Habilitation Centers (RHCs) to fix major problems that have put people with developmental disabilities at risk for verbal, physical, and sexual abuse and neglect.

Washington's RHCs have shown over and over again that they are not capable of keeping people with developmental disabilities safe or providing the treatment and services they promise. When major problems are discovered by regulators, RHCs do not act swiftly or make lasting changes that prevent future harm, even when failing to remedy legal violations causes death, injury, and illness for people with development disabilities who rely on the State for their care.

RHCs need to be closed so that current and future generations of people with developmental disabilities are not forced to live in institutional settings to access the supports they need. Washington State must stop its practice of providing services in these outdated, dangerous, and segregated institutions and invest in community-based care for all clients.

Federal report finds foreseeable, disproportionate COVID-19 fatalities, heavy toll for people with disabilities. National Council on Disability October 29, 2021

WASHINGTON, Oct. 29, 2021 (GLOBE NEWSWIRE) -- Today the National Council on Disability (NCD) released a comprehensive report on COVID-19's impact on people with disabilities, finding over 181,000 people with disabilities in long-term care facilities died from it by March 2021.

The deaths—roughly one-third of all U.S. COVID-19 deaths—were at facilities that house, in addition to seniors with disabilities, people with disabilities age 31 to 64, who comprised up to 14 percent of residents.

[2021 Progress Report: The Impact of COVID-19 on People with Disabilities](#) found that due to years of underinvestment in home- and community-based services, 850,000 people with disabilities nationwide are waiting for services to transition out of congregate care settings where disproportionate numbers of people have died during the pandemic.

[Read full Article](#)



These graphics shows the two different lives I've lived. One life in an institution all alone with no control and another living free in the community with my loving husband and children.

ART by



Ivanova Smith

Wash. decades behind in serving developmentally disabled

[Original story by: Susannah Frame King 5 click here to read full story](#)

When it comes to providing for citizens most in need of assistance, Washington's reputation is of a progressive, cutting edge state committed to delivering the best possible care and support.

But experts across the country say Washington is decades behind the times when it comes to its treatment of some of its most vulnerable citizens -- people with developmental disabilities.

In Washington, more people with these disabilities -- conditions like autism, cerebral palsy, and Down syndrome -- are institutionalized compared with most of the rest of the country. That bucks a decades-long trend to stop the segregation of people with developmental and intellectual disabilities.

KING 5 is not reporting on institutions or hospitals dedicated to treating people with mental illnesses, such as Western State Hospital in Lakewood or Fairfax Hospital in Kirkland. This report and those to follow in the series focus on people with developmental disabilities.

The campaign to integrate these people into regular society is based on years of scientific research. It's also driven by an emphasis on civil rights. According to the [U.S. Department of Justice](#), living in an institution is being segregated from society and that segregation is equal to discrimination. Discrimination is illegal based on [Title II of the Americans with Disabilities Act](#).

Some change has happened in Washington. The state closed two institutions and moved thousands of developmentally disabled people into the community over the years. But four large facilities remain open -- [Fircrest](#) in Shoreline, the [Rainier School](#) in Buckley, the [Yakima Valley School](#) in Selah and [Lakeland Village](#) in Spokane...

"Washington state is always right up there (on lists of states with the best) quality of life. Honestly, I'm stunned. I had no idea. ... It's almost like you're stuck in a time warp," said Dan Reed, who's worked on disability issues in Minnesota for over two decades, including as a state policy leader on the [Governor's Council on Developmental Disabilities](#). Minnesota closed all its institutions more than 15 years ago.

In all, 16 states have closed all of their large facilities for the developmentally disabled, including Oregon, Hawaii, Alaska, New Mexico and Oklahoma. These states are serving this entire population in community settings...

The history of the treatment of people with developmental disabilities in the United States is a dark and shameful one. From colonial times through the early 1970s, this population was systematically warehoused and treated as less than human. The theory was that the developmentally disabled needed to be protected from society and society needed to be protected from them.

Mike Raymond, who has an intellectual disability and is blind in one eye, spent his entire childhood at the Rainier School in Buckley, which opened in 1939. At its peak, 1,900 people lived at Rainier. Today, it remains open with approximately 320 residents.

In 1950, at the age of three, Raymond's doctor advised his mother to put her son in an institution and not to look back -- a common piece of advice from physicians at the time. Raymond hated his years at Rainier.

"It felt like a prison. Back then it was like a prison back then. It felt like it. It did," he said.

Raymond said he remembers staff yelling at the kids and the humiliation of being herded into showers.

"They used to hose us down and they used to take a wet towel and choke people around their neck," he said.

Forty-five years after leaving Rainier, scars are still visible on Raymond's wrist and arms from beatings. That was the punishment meted out when he tried to run away or when he sneaked out to see his girlfriend, a fellow Rainier resident named Diane.

"When they used to make us put our hands up on the wire, they used to hit us with belts, and that was pretty, pretty bad," said Raymond.

Raymond's life became even bleaker at 16, when the staff gave him horrible news.

"They told me that my mom was dead," he said. "That was awful lonely, awful lonely."...

But decades of scientific research shows this model, however improved, is behind the times, too restrictive, limiting people from living their best life. Dozens of studies conducted over the last 30 years find no matter what the person's disability or level of need - they do better living beyond the walls of an institution.

"The research is very clear that in terms of development, development of the skills of daily living...self-care, domestic skills and social skills, that institutions cannot compete with (living in the community with supports), said Dr. Charlie Lakin...

Lakin has analyzed three decades of research showing people's lives improve dramatically when they move out of institutions.

"In almost every conceivable way, their lives get better when they move to the community," he said. "The research is overwhelming."...

Mike is one of about 3,000 who've left Washington's institutions since the late 1960s. Recently, he came back to Rainier with KING 5 for the first time since leaving it behind four decades ago.

"It's very hard to believe that I used to live here," said Raymond. "It's sad, yes. It makes me feel like they're watching what I'm doing like they did before."...

Mike Raymond has come a long way. With help, he lives in his own home in Tacoma. He's worked at Goodwill and now with a job coach he teaches others with disabilities how to advocate for themselves.

And there's more. That childhood girlfriend from Rainier named Diane is now his wife. They've been married for 45 years. They had a daughter who now teaches special education. And they have a new grandson -- joys in life that never would have happened behind the walls of an institution.

"I would like to close them down, as soon as they close them down we'll be a lot better," Raymond said. "I'm going to be fighting for this as long as I live. I'm not going to give up for anybody."...



Michael Raymond just celebrated his 75th birthday. He is a member of the Shut Them Down coalition and continues to actively fight for an end to institutionalization in Washington State.

Feds order partial closure of institution for disabled in Pierce County

Author: **Susannah Frame, King 5 News**

The federal government alerted the Washington state Department of Social and Health Services (DSHS) on Thursday that they are shutting down a portion of the Rainier School in Buckley — one of four institutions for adults with developmental disabilities still open in the state of Washington.

The Centers for Medicare and Medicaid Services (CMS) is also pulling the funding for this area of the Rainier School beginning March 24. That amounts to \$1 million a month in federal funds; a “big hit” to the state, according to a DSHS spokesperson.

CMS is shuttering the housing unit of the Rainier School, known as PAT A, because of **a persistent pattern of non-compliance with federal regulations** that dates back to 2017. In both announced and unannounced surveys conducted by federal inspectors, Rainier School staff were observed failing to engage in “active treatment” with residents, who have developmental and intellectual disabilities such as

autism, Down syndrome, and cerebral palsy.

Active treatment means to consistently engage in teaching residents to be more self-sufficient, as opposed to doing daily living tasks for the resident. Another example of violating active treatment requirements would be leaving a resident without meaningful activity for long periods of time. The purpose of active treatment is to maximize every resident’s fullest developmental potential.

“While we were in the process of enhancing several PATs statewide, we recognized that sustaining certification for this particular PAT (at Rainier) would be a challenge,” said Evelyn Perez, assistant secretary for DSHS’ Developmental Disabilities Administration.

Closing PAT A at Rainier means the state will have to move 80 people to either Fircrest in Shoreline, Lakeland Village outside of Spokane, or to community-based housing with proper supports.

DSHS has the option to appeal by requesting a hearing before a federal Administrative Law Judge within 60 days.

In 2016, the KING 5 Investigators produced a series of reports, entitled “Last of the Institutions” which revealed that Washington is decades behind the times in continuing to offer institutional living for people with developmental disabilities.

The U.S. Department of Justice interprets institutional living as a form of segregation based on discrimination.

RELATED: [Last of the Institutions](#)



Washington state sued over death of woman at Rainier School care facility

OLYMPIA, Wash. — The family of a woman who died while in state care has filed a lawsuit against the state blaming the death on “inexcusable medical neglect.” JoHanna Pratt, 33, died in 2017 while she was living at Rainier School, a state facility in Buckley for adults with intellectual or developmental disabilities.

Pratt had previously been part of a class action lawsuit against the state, asking the state to provide assistance for people with disabilities who wanted to live in the community rather

Pratt died of a pulmonary embolism following foot surgery, according to Disability Rights Washington attorney Todd Carlisle.

The procedure happened off-campus, but when she returned to Rainier School and complained of difficulty breathing. She did not receive medical care until the next day after she had chest pains, Carlisle said.

“It was preventable, it was tragic,” he said.

Carlisle said a state investigation found the state did not have a plan to care for Pratt following her surgery. He said Pratt’s mother is suing to hold the state accountable.

“They want they want to stop this sort of thing from happening to other people who are still at Rainier School,” Carlisle said.

According to DSHS, 161 clients currently reside at Rainier School.

RELATED: [New report slams institution for disabled in Pierce County](#)

RELATED: [Disabilities group sues state over institutions](#)

Author: Drew Mikkelsen

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To see Johanna Pratt speaking about her wishes to leave the institution [click here](#)



To learn more about this case from Disability Rights Washington [click here](#)



Disability Rights
WASHINGTON

Myth

Severity of Disability



Statement of Myth

“People who are currently housed in institutions are more severely disabled than those who live in the community, and no evidence shows that they can be served effectively in the community.”

Statement of Reality

More people with extensive support needs are served in the community rather than in institutions, demonstrating that *all* people with ID/DD can be served

effectively in the community. While many people in institutions have very significant impairments and will require extensive supports to live in the community, many people with the same level of impairments are already successfully receiving those supports in the community. Many are living with families, with few paid supports.

Supportive Information

People with ID/DD vary significantly in age, level of intellectual disability, additional conditions, and functional limitations. In the reduction of institutional populations over the past 40 years, those with higher functional skills and fewer complicating factors were generally discharged first. As a result, a large proportion of people currently living in institutions will need a high level of support when they move into the community.

Research has revealed two important facts about this population:

- More people with extensive support needs are served in the community than

in institutions, indicating that all people with ID/DD can be served effectively in the community.

- On average, people who live in institutions have a higher level of support needs than those who live in the community.

Both of these facts are important. The first indicates that people with extensive support needs can be served effectively in the community. The second affects the cost estimates for serving them.

Full Report:

[Deinstitutionalization Unfinished Business](#) by National Council on Disability



Self-Advocates in Leadership Statement on Institutions



Since 1999, Self-Advocates in Leadership (SAIL) has been a leader to push important legislation that helps people with intellectual and developmental disabilities (IDD) live life better. SAIL's main goal is to do our part in making the state of Washington a better place for all people with (I/DD). One way we have done this is to fight for the closure of the four remaining Residential Habilitation Centers. SAIL members believe all people including those with IDD deserves to live in the community and not be locked away from society. SAIL believes even those with significant challenges should receive all the supports they need in a community setting of their choice.

Advocates believe that Washington State should follow the example of the other 17 States and Districts who have closed their Residential Habilitation Centers. People who live in the community are better able to receive person centered services, so they can live how they want, where they want. SAIL members who have left Residential Habilitation Centers have been able to get jobs in the community, get married and have kids, participate in athletic groups and much, much more. As our slogan states by one of our members Michael Raymond “Shut them Down”.

People First of Washington Belief Statement on Closing Institutions



We believe that no person should be segregated from our communities. We believe that appropriate funding to support enhancing community services must be provided.

That is why we want institutions closed. We object to anyone controlling anyone else's life. We will pledge our support and help to those people who move out to find friends, supports, and resources in their new homes.



National Council on Disability

An independent federal agency committed to disability policy leadership since 1978

Introduction: Unfinished Business

The unfinished business of closing state-run institutions and other public and private institutional settings that have traditionally served people with intellectual disabilities and developmental disabilities (ID/DD) is an important first step and should be a top public policy priority in every state where such institutions exist. Equally important is ensuring that these people have access to services and supports in their communities that will enable them to lead rich and meaningful lives.

In reviewing the history of the movement to close institutions and examining efforts to focus the nation's resources on ensuring that people with ID/DD have access to community living, two key truths emerge:

1. People with ID/DD have a legal right to live in the community and to receive necessary services and supports.

2. Life in the community provides opportunities for dignity, freedom, choice, and a sense of belonging that are not possible in an institutional environment.

These truths are at the core of both the Americans with Disabilities Act (ADA) and the *Olmstead* decision. The courts have consistently upheld a person's right to receive services in the least restrictive environment possible. Closing institutions is not about "dumping" people into the community, nor is it about closing large institutions and moving people to smaller institutions or institution-like settings. Closing institutions is about developing strong and inclusive community supports and allowing people to have control over how they live their lives....

Full Report: [Deinstitutionalization Unfinished Business](#)

Examine the evidence. Washington State Institutions (RHCs) are Costly, Out of Compliance, and Frequently Decertified.

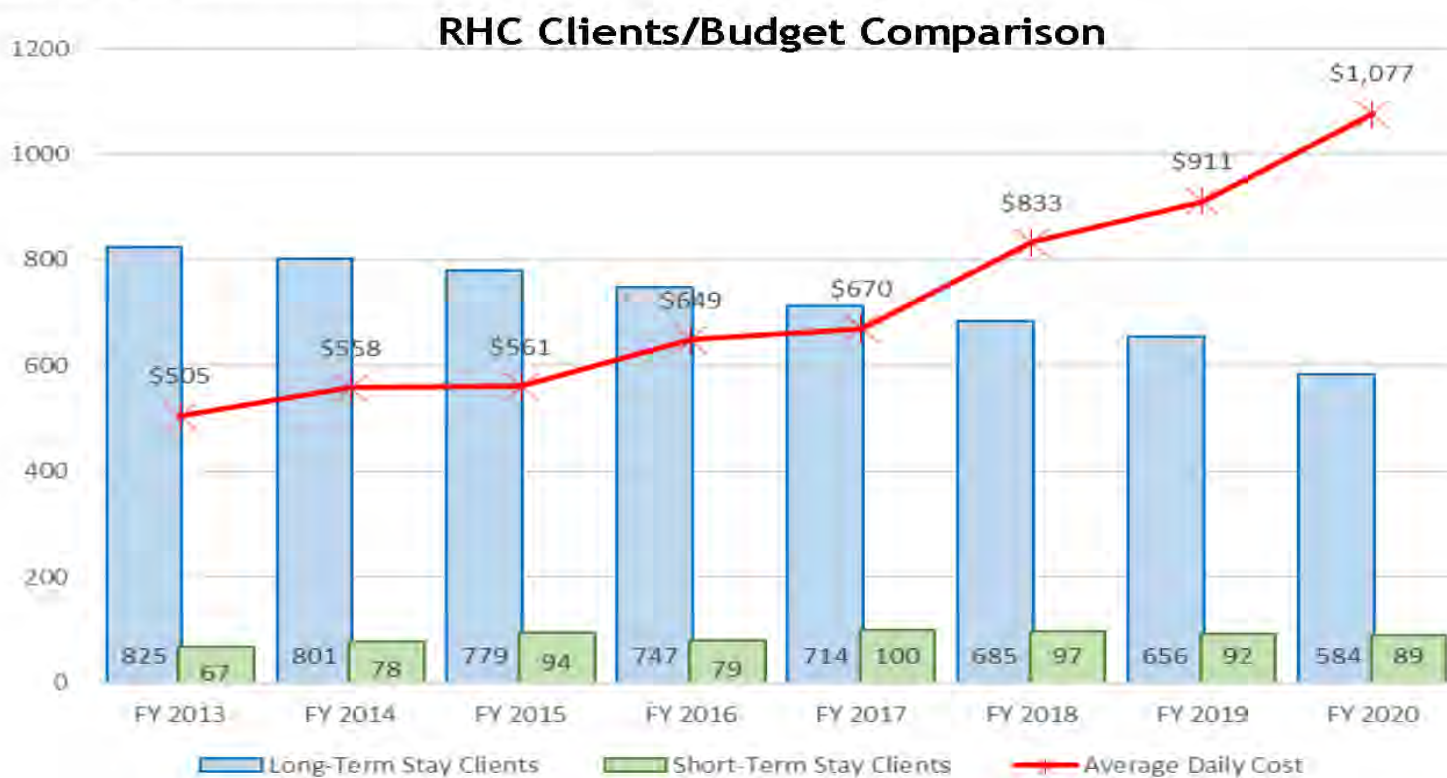
Developmental Disabilities Administration (DDA) Residential Habilitation Centers (RHC)

Service Description:

- RHCs may be certified as an Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/ID) and/or licensed as a Nursing Facility (NF).
- RHCs are state-operated institutions that provide eligible individuals with 24-hour supervision, skill development training, health services, therapies and other professional supports.
- There are four state-operated RHCs. They are: Fircrest in Shoreline (ICF/NF), Rainier in Buckley (ICF), Lakeland Village in College Place (ICF/NF) and Yakima Valley in Selah (NF).

Center for Medicare & Medicaid (CMS) Compliance:

- Washington State's RHCs have problems each year passing inspections (called surveys) from CMS.
- While an RHC is out-of-compliance and trying to make corrections, they are unable to accept new clients.
- Rainier and Fircrest barely passed their surveys and had to add a huge number of FTEs to avoid being decertified.
- Rainier is now partially decertified and can no longer receive a federal match for that portion.
- Over the years, the RHC program, residents, and stakeholders, such as residents' family members and guardians have generally considered that the ICF/IID is the client's home even though that was not the original intent.
- However, in recent years, **CMS has re-emphasized the "intermediate" aspect of institutional care.** That is, it is the responsibility of the RHC not to house and protect people, but **rather to be actively preparing them for leaving the RHC and integrating into the community.** This emphasis by federal regulators is changing the culture and practices in the three ICFs.



Note: Resident counts in this chart assume the bed in the RHC was occupied for the entire fiscal year and does not reflect the actual number of clients who received short-term stay services in the RHC for the same period. For example, if 12 clients on short-term stay reside at the RHC for one month each for consecutive months during the fiscal year, the chart displays them as one resident for the fiscal year.

Summary

- The 2020 number of long-term stay residents decreased -11.0% from 2019.
- The 2020 number of planned or emergent short-term stay residents decreased -3.3% from 2019.
- The 2020 daily rate increased 18.2% from 2019.