



WILLIAMS v. QUINN FACT SHEET

Unnecessary institutionalization is against the law

In *Olmstead v. L.C.* (1999), the Supreme Court of the United States held that unnecessary institutionalization of people with disabilities, including people with mental illness, is discrimination under the Americans with Disabilities Act. People with disabilities are entitled to receive services in the most integrated setting appropriate to their needs.

Background on the lawsuit

Williams v. Quinn is a lawsuit filed in 2005 by two people with mental illness who resided in large private State-funded facilities called Institutions for Mental Diseases (“IMDs”). In 2006, a federal judge certified the case as a class action, which meant the case could move forward on behalf of all IMD residents. Currently, there are approximately 4,500 people who reside in IMDs across Illinois. Recently, the parties reached an agreement, and on March 15, 2010, the plaintiffs and the State of Illinois filed a proposed agreement – known as a Consent Decree – seeking approval by the Judge. The historic agreement reflects a momentous change in state policy for serving people with mental illness.

If approved by the Judge, what will the Consent Decree achieve?

- All IMD residents will receive an individualized, independent evaluation and the opportunity to live in a community-based setting (including permanent supportive housing) with appropriate services.
- Over a five year period, all IMD residents who desire placement in the community shall transition to the most integrated community-based setting appropriate for their individual needs.
- The Judge overseeing the case will appoint an Independent Monitor with mental health expertise to oversee implementation and compliance with the Consent Decree.
- An Implementation Plan will be developed by the State, the plaintiffs and the Independent Monitor to accomplish the obligations and objectives set forth in the Consent Decree.

What are the fiscal implications of the Consent Decree?

- The agreement actually will relieve some of the State’s financial burden created by housing individuals in IMDs, which are supported by 100% State funding.
- The State will now be eligible to receive federal Medicaid reimbursements for medications and health care when an individual is receiving those services in a community-based setting.
- Estimates are that the State could save more than \$50 million over the next few years by transitioning residents from IMDs into the community.

Questions?

If you have questions about the case or the proposed Consent Decree, please contact lead counsel Benjamin Wolf at 312-201-9740 x320 or bwolf@aclu-il.org.