



# Community Options, Inc.

*Supporting People with Disabilities since 1989*

16 Farber Road, Princeton, NJ 08540  
Phone: 609.951.9900

Robert Stack  
President/CEO

**December 14, 2020**

**Honorable Cecile Erwin Young  
Executive Commissioner  
Texas Health and Human Services  
Brown-Heatly Building  
4900 Lamar Boulevard  
P.O. Box 13427  
Austin, TX 78751-2316**

**Dear Commissioner Young,**

Thank you for your leadership during these difficult times as Texas and America work to defeat the current pandemic. Community Options, Inc. is a non-profit providing individuals with significant disabilities with residential services, day programs, social enterprises that employ individuals with disabilities, high school transition programs, and specialized programs for respite and medically fragile adults.

Community Options has a network of more than 50 small, residential homes providing care and programs across Texas. Our small (*usually 3-4 residents plus a few care providers*) homes much more conducive to COVID-19 protections and protocols than are large residential facilities.

As you may know, the Centers for Medicare & Medicaid Services (CMS) issued a 66-page toolkit to encourage and help states rebalance long-term care offerings for people with disabilities to favor home and community-based services over large institutions. We urge the state of Texas to take immediate action on these guidelines. As the COVID-19 pandemic surges, there are 20,000 Texans with disabilities currently housed in crowded, congregate settings.

It has been more than 20 years since the U.S. Supreme Court's historic ruling in *Olmstead v. L.C.* that found unjustified segregation of persons with disabilities violates the Americans with Disabilities Act (ADA). But on the 30<sup>th</sup> anniversary of the ADA, fewer than 15 states have abolished state-funded large facilities in favor of community-based programs.

In Texas, approximately 3,500 persons with disabilities remain in state-run or state-contracted institutions, while approximately 17,000 are housed in nursing homes.

**Page 2 of 2**

For the past 30 years, the disability community has raised concerns about the housing of people with disabilities in large institutions or nursing homes, as opposed to community-based housing programs. This is the right time for states like Texas to reconsider crowded, outdated forms of care for a population particularly vulnerable to the pandemic.

The nonprofit FAIR Health in November released a report finding that people with intellectual and developmental disabilities are three times more likely to die of COVID-19. Prior to that report, an adjunct professor at Syracuse University issued a similar report finding that pandemic mortality rates for people with developmental disabilities was 16% in New York and 14% in Pennsylvania, compared to 8% among the general population. Many leaders in the disability community believe that mortality and infection rates likely are much higher than these reports.

Community-based settings are much safer for people with disabilities as the pandemic surges. Of the nearly 4,100 people in the care of Community Options nationwide, our COVID mortality is at .0017 percent of the people we support.

We strongly encourage Texas to act promptly on the guidelines provided in the CMS digital toolkit to protect the lives of 20,000 Texans with disabilities.

We are happy to provide any information or assistance we can in this effort.

Sincerely,

Robert Stack  
President and CEO  
Community Options, Inc.

cc: Governor Gregory Abbott, Deputy Executive Commissioner Sonja Gaines

**About Community Options, Inc.:**

For over 30 years, Community Options has developed housing and employment supports for people with disabilities – supporting thousands of people from over 40 offices across 10 states. Community Options provides advocacy assistance to empower people with disabilities because all people – regardless of ability level – should live and work in the community with dignity, choice and self-determination. For more information please visit our website: [www.comop.org](http://www.comop.org) and to follow along with the #AllItTakes campaign, search #AllItTakes on Facebook, Twitter and Instagram.