

# Fact Sheet

## SB 160 (Sen. Dayton): Utah State Developmental Center Amendments



### FOR MORE INFORMATION, CONTACT:

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February 12, 2010

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### Background

The Disability Law Center (DLC) understands the frustration felt by Utahns with disabilities and their families who are unable to access the supports they need. However, the state should not respond by expanding our most expensive alternative during an economic crisis, especially when there is a good chance supports will be reduced or eliminated altogether for some. A more sensible approach is to facilitate equal and equitable access to the entire continuum of services so that individuals with disabilities and their families truly can choose the option that works best for them.

### What the bill does:

- gives individuals eligible to receive services through an intermediate care facility for the mentally retarded (ICF/MR) the option of placement at the Utah State Developmental Center (USDC), if it would cost less than a private ICF/MR;
- requires the director of the Division of Services for People with Disabilities (DSPD) to give strong consideration to the preference of a legal representative or guardian for placement at the USDC, if it would cost more to care for an individual at the USDC than in a private ICF/MR; and
- removes DSPD's discretion to place USDC residents served under this provision into appropriate less restrictive settings.
- leaves in place existing criteria for admission to the USDC, including the need for continuous medical care, intervention for conduct that is dangerous to self or others, or temporary residential assessment and evaluation.

### Unanswered questions

- What does it mean to "strongly consider" the preference of a legal representative or guardian for placement at the USDC?
- How are the existing USDC admission criteria balanced with a legal representative or guardian's preference for placement at the USDC?

- How will the intent language from the Health and Human Services Appropriations Committee around the exploration of options to privatize the USDC interact with this proposal?

### **A costly idea**

- Almost 5,000 individuals with disabilities and their families receive support from DSPD at home or in their communities at an average annual cost of around \$38,000. Over 2,000 individuals and families are waiting for similar supports.
- Approximately 535-540 individuals reside in private ICF/MR's at a cost of \$59,000 per person per year.
- 218 individuals are served at the USDC for \$173,000 per person per year.
- If this bill passes, the USDC would need to add beds, staff, and possibly buildings.