



What is Olmstead?

View post: <https://disabilityrightsnorthcarolina.org/resources/what-is-olmstead/>

[Watch this video 'What is the Legacy of the Olmstead Decision?'](#)

Frequently asked questions. What is *Olmstead*?

Olmstead is a 1999 [US Supreme Court decision](#) that says it is unlawful to make people with disabilities live in facilities. *Olmstead* says that you can get the help you need for your disability in the community if you want. You have the right to live and work in the community just like people without disabilities.

Why does it matter?

Many disabled people are told that they have to live in a facility because it is the only place they can get the care or services they need. But *Olmstead* says that this is not okay. When you treat people with disabilities worse than other people, it is called discrimination. This kind of discrimination is against the law.

The *Olmstead* decision says that you should have a choice where to live. You can choose to be included with everyone else, and live, work and play in the community if you want. You can also choose to live in a facility.

What if I need a lot of help?

You might need help to live in the community successfully. You might need someone to stay with you and help you in your home. You might need help to go out, to go to work, or take care of your medical needs. *Olmstead* says that you must be able to get this help in the community if that is where you want to live. Even if you need a lot of help, you can choose to live in the community,

Why isn't it ok to live in a facility where only people with disabilities live?

Forcing people to live in a facility can be harmful. Facilities keep people isolated and separate from others. They take away personal freedoms. They keep people from being valued members of the community and enjoying the opportunities that happen there.

When you are forced to live in a facility, you are not being treated fairly. While you live there, you also might not be treated fairly. You may not get to choose what you eat, when you eat, what your days are like, when you shower, if you can go outside, whether you can visit with friends or family. You may never get to go out into the community. You don't have privacy. You cannot choose who you are living with or who you spend your time with.

Many people do not want to live in a facility. That choice is often made for them simply because there are no other options. This is wrong. Right now in NC there are not enough providers to give people services in the community. But it does not have to be that way.

If you are told that you, or someone you love, have to live in a facility because there are no providers, please contact DRNC.

Why is it important to be able to choose whether you want to live in the community or in a facility?

It is your right, protected by law. Everyone deserves to be part of our world and enjoy equal rights and freedoms. Everyone deserves to be treated fairly.

Why do people still live in institutions?

It is very difficult to get the services and supports in the community in NC, even though it is the law. DRNC is working hard to change this.

Many times, people live in institutions because they have no way to receive care in the community or because that is the only place that they can get the services they need. *Olmstead* says that this is wrong.

Why are we telling you this?

Olmstead was decided over 20 years ago, but some people with disabilities are still kept away from everyone else – in the workplace, in schools, in institutions. They are kept separate because of their disabilities. They are kept separate even though it is more expensive.

North Carolina makes it easier for you to live in an institution than to live in the community. This is wrong and it must change. It is time for North Carolina to give people with disabilities a chance to be included in the community.

You can help!

We need your help! DRNC's communications team is working on a new project called "[#IBelongToo](#)" Tell us in your own words why living in the community is important to you or your loved one. We will use these stories and words to raise awareness about *Olmstead* violations.

We are accepting all types of stories, of any length. Your story can be a word, a sentence, an image, or a short video message.

Make your voice heard by joining [#IBelongToo](#).

Need help telling your story? Call [919-856-2195](tel:919-856-2195) and say that you would like to speak with someone from the communications team about "IBelongToo."

Copyright © 2022 Disability Rights NC. All rights reserved. This document contains general information for educational purposes and should not be construed as legal advice. It is not intended to be a comprehensive

statement of the law and may not reflect recent legal developments. If you have specific questions concerning any matter contained in this document or need legal advice, we encourage you to consult with an attorney.