

September 15, 2019

The Honorable Art Haywood

Minority Chair, Health and Human Services Committee

Senate Box 203004

Harrisburg, PA 17120-3004

Dear Senator Haywood,

I am writing to ask that you join with Senator John Yudichak in opposition to the closure of White Haven and Polk Centers. These are State run Intermediate Care Facilities (ICFs) that provide care to individuals with severe and profound Intellectual Disability and severe Autism. White Haven is located in Northeastern Pennsylvania, approximately 100 miles north of Philadelphia. Polk Center is located near Erie. This would leave only two remaining State Centers, one in Snyder County and one near Pittsburgh.

While the current trend is away from facility based care, there is a small segment of the population that needs the more comprehensive services that are provided in an Intermediate Care Facility (ICF). This is a reality that was acknowledged by the Supreme Court in its Olmstead Decision in 1999. "The ADA is not reasonably read to impel States to phase out institutions, placing patients in need of close care at risk."

The current residents of the State Centers are an older, sicker, more disabled and more behaviorally challenged population than the average person with an intellectual disability. According to statistics compiled by the American Healthcare Association the age of the residents is concentrated in the 46-64 and over 65 categories. 90% are speech impaired, 52% have controlled Epilepsy, 29% are visually impaired, and

47% are reported to have behavior disorders. It stands to reason that this population will require more care than the younger and more mildly impacted population.

There have been several attempts in recent years to coerce the relatives of the State Center residents to transfer them from the State run Intermediate Care Facilities to Community based housing. In April 2009 the Disability Rights Network filed a class action suit against the Commonwealth charging that the residents of State Centers were not offered services in the Community. This assertion was categorically false. On an annual basis the relatives attending the Individualized Support Plan (ISP) meeting are asked if they would like their relatives moved to the Community System. The Relatives and Friends Associations gained standing in the lawsuit and as part of the settlement the Commonwealth was required to accept the decision of the family decision-makers in regard to their loved ones care facility during the term of the settlement agreement. In 2017, Representative Kerry Benninghoff introduced legislation to close all State Centers by 2023. In a short period of time, the grass-roots organization "The KIIDS" obtained 10,000 signatures supporting the retention of this service offering for those individuals who need this higher level of care.

On August 14, 2019, the Pennsylvania Department of Human Services announced their plan to close White Haven and Polk Centers.

If White Haven Center is closed, families will be faced with the choice of moving their loved ones to a more distant location, or moving them to a group home where they will receive less than adequate care. For people in southeastern Pennsylvania, who choose to have their loved one moved to Selinsgrove Center, their travel time will increase from 4 hours to 7. In addition there will be a severe financial impact on the local communities where White Haven and Polk Centers are located, and the dedicated staff who provide high quality care in these Centers will likely be left unemployed.

The decision to close White Haven and Polk Centers needs to be delayed until other options are considered. The campuses could be “right-sized” to the needs of today and the foreseeable future. Other campuses could be established to provide the ICF level of care closer to the resident’s county of origin. Special consideration needs to be given to those who are medically fragile and need the life sustaining care currently provided at White Haven and Polk Centers. These alternatives would also provide the ability to retain the well-trained workforce who currently provides the care at White Haven and Polk Centers. If the State is looking to reduce costs, there are better ways than eliminating the care it provides to the most vulnerable of its citizens.

The movement to eliminate congregate care facilities is often stated in Civil Rights terms. The Civil Rights movement did not reduce people’s choice—it expanded choice.

I ask that you support Senator John Yudichak in his efforts to stop these closures.

Thank you for your consideration.

Sincerely yours,

Margaret M. Tierney

cc: Senator Christine Tartaglione