



Protecting the Promise of Community Living: The Olmstead Supreme Court Decision 27 Years Later

For more than 25 years, the landmark Supreme Court decision *Olmstead v. L.C.* has protected the rights of people with disabilities to live in their communities rather than being unnecessarily placed in institutions. In June 2026, the U.S. Department of Justice (DOJ) issued a concerning memo, changing how the federal government could interpret and enforce *Olmstead*. While this opinion does not change any laws, it could weaken federal enforcement of the right to community living.

This fact sheet explains what *Olmstead* is, why it matters, and what you can do to help protect this important civil right.

What Is *Olmstead v. L.C.*?

In 1999, the U.S. Supreme Court issued their decision in *Olmstead v. L.C.*, one of the most important disability rights cases in our nation's history.

The case involved two women with disabilities, Lois Curtis and Elaine Wilson, who remained in a state psychiatric hospital even though medical professionals agreed they could successfully live in the community with the appropriate supports.

The Supreme Court ruled that unnecessary institutionalization is discrimination under the Americans with Disabilities Act (ADA). The Court held that people with disabilities have the right to receive services in the **most integrated setting appropriate** to their individual needs when:

- Community-based services are appropriate.
- The person wants to receive services in the community.
- Community placement can be reasonably accommodated.

This decision became known as the **Olmstead Decision** and has guided disability rights policy for more than two decades.

What Does “Community Living” Mean?

Community living means people with disabilities have the opportunity to:

- Live in their own home or another community setting rather than an institution whenever appropriate.
- Receive individualized supports in their communities.
- Make choices about where they live and who they live with.
- Work, attend school, volunteer, and participate in community life.
- Live with dignity and independence.



For many people with intellectual and developmental disabilities (IDD) and autism, community living has meant greater opportunities to build relationships, pursue employment, and participate fully in their communities. While ongoing workforce shortages can limit access to services, this decision provides the backbone to ensure that community living is a protected right.

What Is the ADA’s “Integration Mandate”?

The ADA requires public entities to provide services in the most integrated setting appropriate for a person’s needs. Often called the **integration mandate**, this principle recognizes that unnecessary segregation of people with disabilities is discrimination.

For decades, courts and the U.S. Department of Justice have relied on *Olmstead* to enforce this requirement and promote access to home and community-based services.

Why Is the *Olmstead* Decision Important?

Before *Olmstead*, many people with disabilities spent years, or even their entire lives, in institutions, nursing facilities, or other segregated settings. The *Olmstead* decision helped affirm that people with disabilities have the same right as everyone else to live and participate in their communities.

Since 1999, *Olmstead* has helped:

- Expand access to home and community-based services (HCBS).
- Reduce unnecessary institutionalization.
- Support independent and supported living.
- Increase opportunities for competitive integrated employment.
- Promote inclusion in schools and communities.
- Protect the civil rights of millions of people with disabilities.

Although the *Olmstead* decision has been crucial for protecting the rights of people with disabilities to be integrated in their communities, other factors such as workforce shortages and funding issues persist, often making it hard for people to access community living.

What Happened in June 2026?

In June 2026, the U.S. Department of Justice’s Office of Legal Counsel issued a legal opinion that narrows how the federal government interprets and enforces *Olmstead* and the ADA.

The opinion argues that the ADA does not broadly require states to provide HCBS through an “integration mandate” and suggests states have greater flexibility to determine when institutional settings are appropriate.



This represents a significant and concerning departure from how the federal government has interpreted and enforced *Olmstead* for the past 25 years.

The DOJ opinion does **NOT**:

- Overturn *Olmstead*.
- Change the ADA.
- Eliminate the rights established by the Supreme Court.
- Require anyone to move into an institution.

The *Olmstead* Decision remains binding law; however, the DOJ opinion may change how aggressively the federal government investigates and enforces integration requirements. We are concerned this could make it more difficult to protect community living rights.

The Future of Community Living

For people with intellectual and developmental disabilities (IDD) and autism, the protections that the *Olmstead* Decision granted have helped ensure that institutionalization is **not** treated as the default option simply because someone has a disability.

Massachusetts has made significant progress in expanding opportunities for people with disabilities to live, work, and thrive in their communities. The Arc of Massachusetts will continue to advocate to protect these rights and ensure that people with disabilities are not forced into more restrictive settings.

How Can You Help?

- Join us! Advocacy is more effective when individuals join together. Sign up for [The Arc of Massachusetts' action alerts](#) and [The Arc of the United States' action alerts](#) to stay informed and mobilize.
- Contact your federal and state legislators and share your story of how the right to community living has impacted you or your loved one. Find your federal legislators [here](#). Find your Massachusetts state legislators [here](#).
- Stay tuned for the launch of our *Olmstead* advocacy campaign!