



NC Department of Health and Human Services

Division of Mental Health, Developmental Disabilities, and Substance Use Services

Olmstead and North Carolina's Olmstead Plan

March 25, 2026

Rehabilitation Act and the Americans with Disabilities Act

- Section 504 of Rehabilitation Act (1973), banned discrimination on the basis of disability by recipients of federal funds, and evidenced Congress' recognition that the inferior social and economic status of people with disabilities was not a consequence of the disability itself, but instead was a result of societal barriers and prejudices.
- The ADA was signed into law in 1990, Title II of the ADA covering State and Local Government became effective in 1992 and amended in 2008 to broaden disability coverage
- Title II extends the prohibition on discrimination established by section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, to all activities of State and local governments regardless of whether these entities receive Federal financial assistance.

Source: Disability Rights Education & Defense Fund: <https://dredf.org/about-us/publications/the-history-of-the-ada/>

SCOTUS Decision - The Mandate for Community Integration

- On June 22, 1999, the US Supreme Court (SCOTUS) held in *Olmstead v. L.C.* that the “unjustified segregation” of people with disabilities in institutional settings was unlawful discrimination under the ADA. In the landmark decision, the Court held that states must administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.
- Public entities (e.g., DHHS, LME-MCOs, providers) must provide community-based services to people with disabilities when: (1) such services are appropriate; (2) the affected person doesn’t oppose treatment that takes place in the community; and (3) providing such services is feasible (services can be “reasonably accommodated, taking into account the resources available... and the needs of others who are receiving disability services...”).

Transitions to Community Living (TCL)

North Carolina entered into a settlement agreement with the US DOJ in 2012 to ensure persons with mental illness can live in the least restrictive settings of their choice. The NC Department of Health and Human Services is implementing the agreement through the Transition to Community Living Initiative (TCLI).

Shall include community transition planning, rental subsidies, supported housing, supported employment and community-based recovery-oriented services and supports to turn choice into reality



Participants must be informed of their community options to enable them to make an informed choice



Foundational Pillars of the Settlement Agreement



Housing

Discharge and Transition (D&T)

Pre-admission and Diversion

Mental Health Services (MHS)

Supported Employment (SE)

Quality Assurance and Performance Improvement (QA/PI)

Competitive Integrated Employment (CIE)

- The CIE case identifies the need to increase access and to promote more Competitive Integrated Employment for people with intellectual and developmental disabilities (I/DD) in North Carolina.
- A Memorandum of Agreement (MOA) with Disability Rights North Carolina (DRNC) and The Center for Public Representation (CPR)
- DRNC and NCDHHS will continue to work together to improve the lives of individuals with I/DD in North Carolina.

Inclusion Works

Inclusion Works supports individuals with I/DD to find and maintain jobs in competitive integrated employment (CIE), and offers resources for people with disabilities seeking employment, those who are currently employed and employers who hire and retain staff with an intellectual or developmental disability. ([Website Link](#))

Informed Choice	<ul style="list-style-type: none">• Rolling out new Employment Assessment process to all individuals working in non-CIE jobs in NC• Employment Assessments conducted by third party vendor to capture individual's informed decision regarding employment options• Developing Career Development Plans for individuals who make informed choice to pursue CIE
Improve and Expanding I/DD Services	<ul style="list-style-type: none">• Supporting individuals to participate in EIPD and I/DD Supported Employment services• Maintaining comprehensive system of wraparound services to support a meaningful week
Community Outreach	<ul style="list-style-type: none">• Communicating and promoting information about Inclusion Works to educate community and provide resources• Engaging with community stakeholders to gather feedback on program activities and policies
Workforce Development	<ul style="list-style-type: none">• Funded training opportunities for Providers and Tailored Plan staff to increase CIE capabilities• Added dedicated resources to support CIE care coordination at EIPD and Tailored Plans• Support Providers to transform business models to transition from non-CIE jobs to CIE services and supports
Employer Connection	<ul style="list-style-type: none">• Provide employers training and resources on inclusive hiring practices• Develop partnerships with business networks to source job opportunities for individuals with I/DD

Samantha R.

- The Samantha R. case identifies the need for adequate home and community-based services for people with intellectual and developmental disabilities (I/DD) in North Carolina.
- An agreement (consent order) announced by the parties on April 10, 2024, is a compromise that allows the parties to move forward
- DRNC and NCDHHS will continue to work together to improve the lives of individuals with I/DD in North Carolina.

Inclusion Connects

Inclusion Connects is an NCDHHS program to connect people with I/DD to more choices and more access to services and supports. It is designed to help people with I/DD, regardless of age or ability level, and their families navigate the complex system of services from birth to the end of life.

[Website Link](#)

Inclusion Connects Activities



Supporting the Direct Support Professional (DSP) Workforce:

Addresses workforce shortages and connects DSPs with providers and individuals with I/DD.



Promoting Access to Services: Focuses on providing access to necessary services, including those on the Innovations Waiver Waitlist.



Improving Housing Access: Enhances the housing options available for individuals with I/DD.



Inclusion Works:

Expand supported employment services and increase access to Competitive Integrated Employment



Inclusion Connects Workplan

The Inclusion Connects Work Plan is North Carolina's strategy to improve services for people with intellectual and developmental disabilities (I/DD)

- Detailed descriptions of activities to improve access to services, more housing choices, and strengthening the workforce.
- Includes metrics and targets
- Will be updated at least annually



North Carolina Olmstead Plan

What's the Purpose of the NC Olmstead Plan?

- Transparency: promote openness about how the state provides people with opportunities to live, work and get services in NC's communities.
- Transformation: analyze the extent to which services are provided in the most integrated setting what it will take to create the future that people want and need.
- Trust: set out the commitments, timeframes, goals and funding needed to expand integrated opportunities for community life.
- Team: engage diverse stakeholders

NC OPSA Vision Statement:

NC champions the right of all people with disabilities to choose to live life fully included in the community

Priority Areas for the Current Olmstead Plan

1	Increase Opportunities for Individuals and Families to Choose Community Inclusion through Access to Medicaid Waiver Home and Community Based Services and Supports
2	Strengthen Opportunities to Divert and Transition Individuals from Unnecessary Institutionalization and Settings that Separate Them from the Community
3	Address Gaps in Community-Based Services
4	Increase Opportunities for Pre-Employment Transition Services for Youth with Disabilities, and Competitive Integrated Employment (CIE) for Adults with Disabilities
5	Strengthen Opportunities to Divert and Transition Individuals from the Criminal Justice System to Promote Tenure in and Successful Reentry to Inclusive Communities.
6	Promote Workforce Development, Recruitment, and Retention

Stakeholder Engagement

- 6 virtual sessions
- 2 in-person sessions:
 - Asheville: 16 registrants
 - Greensboro: 30 registrants
- All sessions were mixed population, recruitment to people with all disability types, caregivers, advocates, providers, Tailored Plans, and Divisions. Multiple avenues of recruitment employed.
- English language survey: 97 responses
- Spanish language survey: 0 responses
- Written feedback to the Technical Assistance Collaborative (TAC)

Stakeholder Engagement

Foundational Principles:

Big, lasting ideas that show us what the State wants its disability services to look like in the future. They usually remain the same over time and help guide planning and decision-making.

Foundational Principles:

People with disabilities:

- Can make their own choices and get support that respects them.
- Are part of the community—living, working, and doing things they enjoy.
- Get the right help at the right time and are treated fairly.
- Live in places that are easy to get around, affordable, and welcoming.

Systems that help people with disabilities:

- Work together and are easy to use at all stages of life.
- Are fair, responsible, and support families and caregivers.

Stakeholder Engagement

Priorities:

- These are goals or focus areas that are important right now.
- They can change as the system improves and grows

Priorities:

- Housing stock and housing support services
- Crisis, diversion, community stabilization
- Long-term community-based services and supports
- Workforce
- Data and quality assurance
- Employment
- Transitions back to the community
- Integrated healthcare

Proposed Changes for Updated Olmstead Plan

- **Strengthen centralized Olmstead governance**
 - Olmstead Steering Committee
- **Align with existing work**
 - Individual meetings with divisions to review crosswalk specifics and develop strategies
- **Shift from activities to outcomes**
 - Measurable actions directly tied to feedback, principles
 - Improve measurement transparency
- **Address cross-cutting gaps**
- **Focus on sustainability and durability** through principles while allowing for flexibility and agility in priorities

Next Steps for Updating Olmstead Plan

- **Jan-Feb:** Individual Division meetings to see measurable strategies and actions
- **Feb-March:** Draft plan
- **April:** Draft out for public comment
- **May:** Revisions to the plan
- **June 30:** Technical and plain language plans published
- **FY27 and beyond:** Annual progress reports

NCDHHS Strategic Housing Plan

The NC Strategic Housing Plan addresses the housing needs of individuals with disabilities, including people with disabilities who are currently receiving or eligible for NCDHHS-funded services at the state and local levels, who are either:

- experiencing homelessness or
- currently residing in congregate settings or
- at risk of entry into these settings

<https://www.ncdhhs.gov/about/priority-goals/health-equity-portfolio/nc-strategic-housing-plan>

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