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January 29, 2010

The Honorable Robert F. McDonnell  
Office of the Governor  
Patrick Henry Building, 3rd Floor  
1111 East Broad Street  
Richmond, Virginia 23219

Dear Governor McDonnell:

The Arc of Virginia requests your immediate action to suspend the rebuilding of a 75-bed state institution at the Southeastern Virginia Training Center in Chesapeake. The Arc's request represents the voice of thousands of families who have sons or daughters with intellectual or developmental disabilities who oppose state plans to rebuild state institutions while ignoring the dire needs for community care.

In 2009, the General Assembly rejected Governor Kaine's proposal to close SEVTC. Instead, the General Assembly approved budget language and funding to move approximately 75 residents to community homes and to rebuild a 75-bed facility at the Chesapeake site. The Arc objected to the 75-bed state institution rebuild because it illegally segregates persons with intellectual disabilities. Further, it locks Virginia into an outdated model of care that costs too much to build and too much to operate.

Following adoption of the 2009 budget, a review of current SEVTC residents by a national consulting firm under contract with the state concluded that all residents could live in community homes. Despite this information, the Kaine administration pursued the 75-bed rebuild. The rebuild is budgeted at a cost of \$23 Million - or \$306,000 per person. The SEVTC residents are no different than the over 4,000 persons already living in Medicaid waiver-funded community homes all across our state, as well as the tens of thousands of Virginians with intellectual disabilities who are living at home with their families.

It is inconceivable to our Arc families that Virginia will continue its effort to rebuild a state institution at this exorbitant cost, especially in light of the state's dire revenue situation. Therefore, The Arc turns to you to suspend the SEVTC rebuild.

The Arc's request is based on the following factors:

- The 75-bed rebuild cost is too expensive. You know the Tidewater area. Surely, our state can acquire, build or renovate community housing for less than \$306,000 per person. Why can't our state acquire 4-bed group homes for less than \$1.2 million per home? This is not cost efficient.

- The operating cost of state training centers now averages \$194,000 per person annually. Community care for persons living in community homes costs less than \$100,000. This model is not cost efficient.
- Segregating persons with intellectual disabilities is inconsistent with the Americans with Disabilities Act (ADA). As you may be aware, The Arc has gone to federal court to stop the SEVTC rebuild. The court recently denied The Arc's request because the case was not "ripe" at this time, i.e., the new facility has not yet been built and no one has been placed in it. This reasoning ignores the fact that current SEVTC residents will eventually be placed in it - that is why it is being built. The Arc does not believe Virginia intends to rebuild the facility and let it stand empty.
- The big losers in this rebuild fiscal folly are the 5,900 people on the ID/DD wait lists for a Medicaid community waiver. These families are now beginning to understand that Virginia's institutional bias of spending money to rebuild and operate high-cost institutions is one of the main reasons that the wait list continues to grow. Our families understand why new waiver slots are hard to fund when state revenues are plummeting. However, they can't understand why Virginia - alone among states - continues to spend scarce dollars to rebuild and operate costly, segregated institutions while they continue to sit on waiting lists for years and years.

The Arc has spoken with many House and Senate members who admit privately that the rebuild makes no policy or fiscal sense. These legislators acknowledge that the information about the SEVTC residents was not available when they approved the SEVTC rebuild last spring. They also acknowledge that the 75-bed figure was pulled out of the air and was not based on individual resident assessments. However, legislators say it is up to the Executive branch to take the leadership and recommend the necessary changes in policy and budget direction.

What does The Arc want? The Arc wants you as Virginia's chief executive officer to suspend rebuilding the 75-bed SEVTC facility and propose to the General Assembly that all SEVTC capital dollars be shifted to community housing.

Let the General Assembly decide if it is good use of taxpayer money to pay \$306,000 a person to build a segregated institution that violates the civil rights of SEVTC residents. Let the General Assembly decide if it is good use of taxpayer money to spend 70% more in annual operating costs at state institutions for persons no different from those already receiving care in community homes. Let's see if Virginia is really the fiscally conservative, best-managed state that practices good business sense. Thank you for your consideration.

Sincerely,



Howard M. Cullum  
President, The Arc of Virginia

CC:

Martin Kent, Chief of Staff

Eric Finkbeiner, Senior Advisor for Policy

Bill Hazel, Secretary of Health and Human Resources

Lisa Hicks-Thomas, Secretary of Administration

Jim Stewart, Interim Commissioner, Department of Behavioral Health and Developmental Services

Members of the Virginia House of Delegates

Members of the Senate of Virginia