

## MURRAY FAMILIES KNOW YOUR RIGHTS

In the recent ruling by federal judge, Marvin Aspen, CHOICE has been affirmed!

- 1) As guardian, ***YOU*** make the placement decision for your loved one/ward. *You* have the right and obligation to make the residential placement decision you believe is in the *best interest* of your loved one/ward.
- 2) You can reject participation in the CRA/ACCT assessment process which is designed to find residential placements of 4 or fewer beds for all individuals who go through this process, regardless of their level of need. You may assert your right to opt out of this assessment process before it begins or at any time during the process and request Murray Center staff assistance.
- 3) Federal law states that your loved one cannot be forced into the "community." You may be encouraged by PAS or State representatives to consider the 4 or fewer bed option and you may wish to consider it. However, you should not be pressured into pursuing or accepting that choice.
- 4) SODC residents are entitled to ICF/MR level of care. (In Illinois, ICFs/MR include State Operated Developmental Centers (SODCs) and private Intermediate Care Facilities for the Developmentally Disabled (ICFs/DD)). You should insist on having *all* your residential options, including, SODCs, ICFs/DD, Community Integrated Living Arrangements (CILAs), CILAs with twenty-four hour nursing care, and other home or community based options, explained to you in detail. You should insist that you receive help in finding the placement options *of your choice*. You should visit potential placements and your ward should have "trial" overnight visits before committing to placement.
- 5) You can ask for services near your home. The State asserted in federal court that despite the fact that services of your choice may not currently be available, the State would move in a deliberate way to ensure that all persons receive the services *of their choice*.
- 6) You can ask for a "conditional discharge" rather than an "unconditional discharge." Secure a promise IN WRITING (and keep a copy) that your ward can return to an SODC if he/she fails in the setting that you may choose to try. Be sure that the promised return period is long-term and not merely for short-term "stabilization."
- 7) You can proactively maintain control over and throughout the transition process by taking the initiative. You should document all guidance you provide to your PAS agent or social worker regarding: type of placement you are seeking; desired geographical location; if/to what extent CRA will participate in the transition process; any specific/unique requirements of your ward. You should follow up often to ensure that your guidance is being followed and no short cuts are taken.
- 8) Know that YOU ARE NOT ALONE-YOU MAY CALL A SUPPORT HOT LINE: You are making choices that will affect the life and well-being of your loved one. If you feel confused or intimidated by the process, you may call Rita Winkeler (Murray Parents Association) at 618-210-9678 or Rita Burke (Illinois League of Advocates for the Developmentally Disabled) at 618-559-1790.