



SE MN Center for Independent Living, Inc.

March 12, 2024

Chair
Melissa H. Wiklund, 51, DFL
2107 Minnesota Senate Bldg.
St. Paul, MN 55155

Ranking Minority Member
Paul J. Utke, 05, R
2403 Minnesota Senate Bldg.
St. Paul, MN 55155

RE: SF 3989

To Chair Wiklund, Lead Representative Debra Kiel, and Members of the Committee:

Our organization writes to you today to our community's opposition to house file 4106. As a Center for Independent Living led by people with disabilities since 1981, we are people with disabilities and allies partnering with our larger community to protect our civil liberties and move our systems into justice. House file 4106 is a direct attack on the civil rights of people with disabilities and their decision-making to live in the most least restrictive setting of their own choice.

There is no dispute that home and community based direct care and health care workforce shortages have only increased since the rise of COVID-19 in 2020. The lack of direct care in the community results in health care crises for individuals. We acknowledge that we have seen individuals stuck in hospitals due to the disconnect between the home and community-based service system and the health care system here in Minnesota. Solutions are desperately needed but solutions should not violate civil rights.

SEMCIL has supported individuals who experience such disconnects between the hospital and home and community-based service systems. We have witnessed counties and hospital systems remove decision-making because a person asked to go home with support. Rights removed because the individual who had lived independently in their apartment for decades was not believed. Instead, they labeled the individual as having a "disagreeable disposition" and despite alternative decision-making being offered, they still took away the rights of an American citizen of sound mind. Currently under the statute, there is no notice to the individual, no notice or opportunity to find own representation, and no opportunity to even speak on your own behalf before courts take away your rights and hand over your entire livelihood to a stranger who does not know you and only has the maximum capacity of maybe seeing you for a total of five hours a month.

Centers for Independent Living have a federally mandated service to support persons transition back into the most least restrictive setting of their choice. Set in the federal law of the foundational court case *L.C. v Olmstead*, people with disabilities have the right to live in their own home and the community of their choice with the services and support necessary to maintain their independence.

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We ask that the authors of these bills meet with the Centers for Independent Living of Minnesota to coordinate a path forward that does not strip people of their most basic rights, and more importantly, their humanity. We should be working creatively to meet the evolving needs of our community, not forcing them into servitude to the margins of business. American citizens deserve better. Our generations to come deserve better. Thank you for your consideration, and I do hope that the authors and supporters of this bill will reach out in good faith to work with our community, not against us. Thank you.

Sincerely,

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