

## **State and National Organizations Support Innovative Shared Living Model**

*ANCOR, NASDDDS, NASUAD and PAR File a  
Friend of the Court Brief in Support of Assuring Access to Shared Living Services*

For Immediate Release - A “shared living model of services” is a rapidly growing residential service option that is available throughout the country for a wide range of individuals with intellectual and developmental disabilities who require long term services and supports. Currently, it is estimated that over 60,000 people are living in shared living arrangements across the country. This number is significantly higher when you include seniors and people with physical or other disabilities.

The typical shared living arrangement, also known as a host home or family living home, allows an older adult or person with a disability to live in a family environment which maximizes their ability to participate in a community while living in a least restrictive environment. The shared living model aligns with the antidiscrimination goals of the Americans with Disabilities Act (ADA) and serves a vital role in implementing the community integration mandate of the 1999 Supreme Court Ruling in *Olmstead vs. L.C.*

In support of promoting the increased availability of and access to this model of service, the American Network for Community Options and Resources (ANCOR), the National Association of State Directors of Developmental Disabilities Services (NASDDDS), the National Association of States United for Aging and Disabilities (NASUAD) and Pennsylvania Advocacy and Resources for Autism and Intellectual Disabilities (PAR), on February 8, 2018, filed an amicus curiae (“friend of the court”) brief in support of a provider of shared living services in *Pendleton v. JEVS*, a case currently pending in the United States District Court for the Eastern District of Pennsylvania.

In this case, Plaintiffs demand to be paid wages, overtime and benefits that are inconsistent both with the design and purpose of the provider’s shared living model as well as with how Medicaid reimbursement is structured for this service model. The brief explains how the Plaintiffs’ claim, if successful, will likely result in the closure of the Plaintiffs’ shared living homes and jeopardize an already limited supply of accessible housing options for people with disabilities.

ANCOR, NASDDDS, NASUAD and PAR are greatly concerned that an adverse ruling would create a harmful precedent that could threaten current shared living arrangements and chill further development of this person centered, innovative model in Pennsylvania and around the country. The importance of this model was reflected in specific guidance issued by the U.S. Department of Labor in 2013, which observed that the existence of an employment relationship in a shared living program is the exception not the rule.

The four organizations urged the court to consider the scope of its ruling to avoid adverse and unintended consequences for the use of and adoption of host home/shared living services across the country.

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[ANCOR](#) is a national trade association for disability service providers, representing over 1,400 private providers of disability community services for people with intellectual and developmental disabilities and 52 state provider associations. ANCOR's mission is to advance the ability of our members in supporting people with intellectual and developmental disabilities to fully participate in their communities.

[PAR](#) is a statewide, not-for-profit organization representing home and community-based service providers in Pennsylvania, including Defendant JEVS. PAR members provide services and supports to tens of thousands of individuals in Pennsylvania with autism and/or intellectual disability.

[NASDDDS](#) represents the state agencies in 50 states and the District of Columbia that provide services to children and adults with intellectual and developmental disabilities and their families. NASDDDS's goal is to promote and assist state agencies in developing effective, efficient service delivery systems that furnish high-quality supports to people with intellectual and developmental disabilities.

[NASUAD](#) is a national organization representing 56 state and territorial agencies on aging and disabilities. Its mission is to design, improve, and sustain state systems delivering home and community based services and supports for people who are older or have a disability, and their caregivers.