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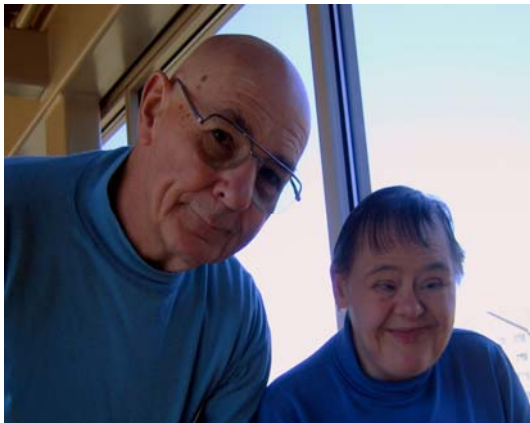
Joint Committee on children, Families and Persons with Disabilities
House Chair, Rep. Kay Khan
Senate Chair, Sen. Gale D. Candaras

Joint Committee on Mental Health and Substance Abuse
House Chair, Rep. Elizabeth A. Malia
Senate Chair, Jennifer L. Flanagan

Subject:

Planned closure of 4 Department of Mental Retardation Residential Facilities;
DMR's future plans for these residents, and;
DMR's long-range plan "Vision 2014."

Place: Gardener Auditorium, State House, Boston, Massachusetts



Joanna Bezubka, my cousin, asks **“What Happened to Our Freedom of Choice?”**

Joanna says “I have Down syndrome, and profound mental retardation. Chronologically I am a 58-year old woman but cognitively less than a two-year old child and need fulltime help for all my daily needs, from toileting to dressing to eating. I must rely on George

and COFAR to discuss our issues. I cannot participate in a colloquy about these issues. I do not have the cognitive ability but I do have the experience.

COFAR's primary objective Keeping Intermediate Care Facilities (ICF/MRs) open is to give individuals with mental retardation the same options to decide where to call 'home' as the other United States citizens.

Most citizens have many living options, such as living at home with their parents, or living in an apartment or in a single family house, or in a condominium; and in later years maybe in an assisted living facility or a skilled nursing facility. My cousin George lives in a retirement community which meets all the Social Security Act Title XIX requirements. I lived at Fernald for 39-years and since 2005 I live in a state operated Lynnfield duplex.

The question for Governor Deval Patrick is 'If citizens with mental retardation or their guardians (preferably family members or friends) are not allowed to choose their own least restrictive living arrangement, why are other citizens allowed to choose where they live?' I expected this option would be part of normalization.

Some individuals with mild mental retardation live at home and do not receive any Department of Mental Retardation services. Some live in condominiums or apartments with minimum supervision. Some live in group homes operated by vendors or by the Commonwealth. Why does Governor Patrick insist on depriving the severely or profoundly retarded individuals the option to live in an intermediate care facility like Fernald or a skilled nursing facility like the Seven Hills Pediatric Center in Groton that specializes in their care?

The best way to see if an argument makes sense is to extend the idea to its extreme. If the Commonwealth insists that depriving individuals with mental retardation the option of living in an ICF/MR, or a skilled nursing facility are correct objectives the Commonwealth should eliminate everyone's option of choosing where to live.

Does anyone think we should close all nursing homes and assisted living facilities? Why are most citizens entitled to the living option that they choose except those citizens with mental retardation? Why should Governor Patrick be able to decide where individuals with severe or profound mental retardation must live? Some mentally retarded citizens need and have a right to choose to live in an intermediate care facility. It's too late to ask 92-year old Ana Tross who called Fernald "home" for 50-years."

Joanna agrees that all USA citizens deserve the option to choose the best living arrangement for our selves (apartments, condominiums, single family homes, ICF/MR

equivalent retirement communities etc). To the extent that there is a public policy on community-based care, it is a mandate that individuals be given choices, not a mandate that such ICF/MRs as the Fernald Developmental Center be closed. Joanna and her colleagues are part of the population that needs your voice and your support. They are often forgotten because **Joanna and her peers are not seen and cannot vote. They do not contribute to political campaigns.**

The Governor and his Department of Mental Retardation Commissioner will deny most of these facts by saying Wrentham Developmental Center will remain open until all the Ricci Class Members die. **When did the profoundly retarded Ricci class members become second class citizens to be segregated in a single developmental center?**

What rights will the future generations of mentally retarded individuals with similar complications have? In the **unedited** version of the LC v. Olmstead Decision the United States Supreme Court Justices said they have more rights than Governor Patrick proposes to give them.

In conclusion, please verify the unedited Olmstead Decision and the unedited Americans With Disabilities Act or **get out your check books for the supplemental budget.**

Very truly yours,

Joanna Bezubka & George Mavridis,
Former COFAR President