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## MASSACHUSETTS INSTITUTIONS DISPELLING THE MYTHS

*Update, April 6, 2009: We applaud the Supreme Court's decision not to hear the appeal of the federal appeal court's October 2008 ruling. This allows Governor Patrick to move forward with his plans to close 4 of the state's 6 institutions by 2013. The funds that become available through these transitions must be allocated to strengthen human services.*

**Myth #1: Massachusetts is rushing to close its institutions. WRONG. The fact is that Massachusetts is at risk of falling behind the curve, if it hasn't already.**

- Six of the seven remaining institutions in New England are in Massachusetts (the seventh is in Connecticut)
- Nationwide, services to individuals with intellectual and developmental disabilities are increasingly provided in smaller, more integrated community-based settings
- Per capita, Massachusetts has the 15<sup>th</sup> highest percentage of individuals in institutions in the nation. In raw numbers, Massachusetts has the 15<sup>th</sup> highest numbers of individuals in institutions in the nation<sup>1</sup>
- 140 institutions have closed nationwide since 1970. Massachusetts has closed just three (Belchertown, Berry and Dever).<sup>2</sup> By comparison, New York has closed 17, Michigan 13, Pennsylvania 10 and Minnesota 8
- Nine states plus the District of Columbia have closed all their institutions<sup>3</sup>

**Myth #2: Individuals in institutions are too disabled to live in the community. WRONG. The fact is that community settings are already providing the highest quality services for people with all ranges of disabilities.**

- Past facility closures in Massachusetts (Belchertown State School in 1992; Dever Developmental Center in 2002) have seen over 95% of residents successfully transition to community settings<sup>4</sup>
- Those living in Massachusetts institutions today have similar ages, levels of disability, and health/medical issues as those who have been leaving Massachusetts facilities for decades to live in the community<sup>5</sup>

**Myth #3: People who have lived in institutions for years cannot adjust to life in the community. WRONG. The fact is that the vast majority of transitions are overwhelmingly positive.**

- A monitor assigned to oversee the Fernald Development Center federal court case looked at the 49 individuals transferred out of Fernald from Feb. 2003 to Feb. 2006. Guardians were asked to rate their satisfaction with their wards' placements on a scale of one to five, with one being the most favorable.<sup>6</sup>
  - Seventy-eight percent rated their satisfaction as a "1"
  - Fourteen percent rated their satisfaction a "2"
  - Just one percent rated their satisfaction a "4," and another one percent a "5"
- The resident population in Massachusetts institutions has decreased by more than 4,200 from 1977 to 2008.<sup>7</sup> Of those who moved into the community, we almost never hear about them because their experiences are positive.
- Disability policy researcher K. Charlie Lakin's review of 18 studies between 1980 and 1999 comparing people with disabilities who moved from institutions to community settings versus those who stayed concluded that:
  - Those who moved showed significant improvements in "overall adaptive behavior" as well as self-care, academic skills, community living skills, language or communication skills, social skills and vocational skills.
  - A similar review of 13 longitudinal studies during the same period found significant improvements for the "movers" in social skills and community living skills
  - The author concludes that those who lived in large institutions "received habilitative experiences that were substantially and consistently inferior to those of people living in community settings."<sup>8</sup>

**Myth #4: Closing institutions will not save the state money. WRONG. The fact is Massachusetts' institutions eat up a disproportionate amount of state dollars for the few people being served.**

- The average cost of serving an individual in an institution is nearly double the cost of serving them in the community.
  - It costs the state about \$570/day for someone to live in an institution.
  - It costs the state \$293/day for 24-hour community-based services (including residential, day and transportation services)<sup>9</sup>
- The Department of Mental Retardation (soon to be the Department of Developmental Services) serves more than 33,000. A full 15 percent (\$187.5 million) of that \$1.2 billion budget goes to serving the 2.7 percent who live in institutions.<sup>10</sup>
- From 2006 to 2008, funding for the institutional system grew about 10 percent despite a declining population.<sup>11</sup>
- Meanwhile, growth in the community system has been minimal. From 2004 to 2006, Massachusetts' community services investment for people with intellectual and developmental disabilities has declined 2.8 percent when adjusted for inflation; while the country as a whole saw 3 percent growth<sup>12</sup>

- In theory, if the 900 individuals now living in institutions were living in the community, it would free up nearly \$100 million annually for strengthening community services. And the community services system NEEDS it:
  - \$5 million would clear the 2,500-person waiting list for Family Support (Respite) Services, perhaps the most cost-effective DDS program
  - \$45 million would clear the 600 person waiting list for community residential services
  - \$25 million would allow the state to properly fund transition services for those ageing out of school
  - \$25 million would provide day or supported employment services – including job searching and coaching – for 1,000 individuals<sup>13</sup>

**Myth #5 While institutions have a horrific history, they are now a perfectly suitable option for people with disabilities. WRONG. The fact is that while institutions have undeniably come a long way since some of the worst abuses, they are not the best option for people with disabilities or anyone else.**

- The history is indeed terrible! For example, at one institution for which there is extensive documentation, The Fernald Development Center in Waltham (known originally as the Massachusetts School for Idiotic and Feeble-Minded Youth):
  - Physical and sexual abuse were widespread for much of its history
  - A substantial percentage of residents were clinically NOT intellectually or developmentally disabled for much of its history
  - Residents were treated as guinea pigs; subjected to scientific testing like being poisoned with irradiated oatmeal
- The federal government took oversight of the Fernald Center for a 21-year stretch ending in 1993 because of appalling conditions and treatment of residents
- By definition, institutions are segregated from the outside "real" world. Integration, not segregation, is where disability policy has been heading for decades
- Institutions feel like institutions, not homes. The buildings are old, isolating, often windowless, and not personalized.

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<sup>1</sup> David Braddock, Richard Hemp, Mary C. Rizzolo, "The State of the States in Developmental Disabilities 2008." Department of Psychiatry and Coleman Institute for Cognitive Disabilities. The University of Colorado.

<sup>2</sup> Ibid

<sup>3</sup> Ibid

<sup>4</sup> Massachusetts Department of Mental Retardation fact sheet

<sup>5</sup> Ibid

<sup>6</sup> [Robert Simpson Ricci, et al. v. Deval Patrick](#), United States Court of Appeals for the First Circuit, Ruling by Chief Judge Sandra Lynch, Oct. 1, 2008

<sup>7</sup> David Braddock, et al

<sup>8</sup> K. Charlie Lakin, Ph.D., Director of Research and Training Center on Community Living, University of Minnesota. "Individuals with Mental Retardation in Massachusetts' Nursing Homes." 1999.

<sup>9</sup> Massachusetts Department of Mental Retardation

<sup>10</sup> Commonwealth of Massachusetts FY2009 General Appropriations Budget

<sup>11</sup> Ibid

<sup>12</sup> David Braddock, et al

<sup>13</sup> According to calculations by The Arc of Massachusetts based on historic costs of services