



To: Department of Developmental Services Home and Community-Based Services Advisory Group Meeting

From: Autism Society San Francisco Bay Area

Re: Public Comment for October 27, 2015 meeting

Dear HCBS advisory group,

We represent the interests of the more than 12,000 Bay Area families affected by autism. Autism rates in our state and region have exploded, up more than 28-fold over just the past 25 years. DDS adult autism rates (age 22+) will double in the next five years and triple in the next ten.

A significant percentage of the DDS autism population exhibits severe behaviors in combination with significant cognitive and communication challenges. This population, which will number in the tens of thousands within just the next decade, will often require specialty settings enriched with amenities and designs and staffing appropriate to their intensive needs.

In spite of the staggering numbers of young ASD adults with significant and complex support needs, California has failed to develop any plan for expanding housing to serve them. And, though ludicrous and ruinous, some disability advocates are vying for a narrow reading of HCBS, essentially attempting to sharply limit choice and erect high barriers to new disability-friendly developments, even for the most severely disabled who cannot thrive in generic apartment environments, and indeed would be vulnerable to the abuse, neglect, and isolation.

To facilitate creation of autism-supportive residential environments, and reverse the "chilling effect" of additional layers of threatened bureaucracy, rules and red tape that would inequitably harm the I/DD population, it is imperative that the state fully embrace the widest variety of autism-serving solutions, residences, and settings that can reasonably meet the needs of such a vast and unprecedented population of very vulnerable citizens with these incapacitating disabilities.

Consistent with common sense, civil rights laws, and fair housing laws, the menu of options available to the severely autistic must be at least as broad as those available to the non-disabled, and should include congregate settings (agricultural projects, farms, disability-friendly group environments, and so-called "gated communities" included) and amenity-rich developments designed to meet the unique needs of our disabled individuals.

In light of the dire need to increase the quantity and quality of available housing options to the booming ASD population, and in view of the spirit and word of the HCBS regulations, **"heightened scrutiny" should be employed solely to ensure that any residential choice (even and especially a disability-centered choice) is in fact the result of a choice on the part of the consumer and/or his/her conservators, and not the result of coercion or restraint on the part of government or governmental agency.**

In other words, all options must be *prima facie* available to consumers, and any restrictions and barriers to entry only put into place only to ensure a choice is the result of person-centered planning and not government convenience or whim. This was indeed the very purpose of the HCBS regulations.

Thank you for your consideration of our comments.

Very truly yours,

Jill Escher, President, Autism Society San Francisco Bay Area

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