My name is STACEY MAYFIELD, and I support HB 149. My son Andrew lives in Denton State Supported Living Center under the state's highest safety standard bar, which include **CMS standards** where 100% compliance is required, **DOJ standards** where intensive Formal Compliance Reviews are required, and **SB 643 standards** where criminal background checks and random drug testing for all employees, video surveillance, and an independent ombudsman is required; BUT the group homes have a low safety standard bar where only a general compliance to the **Texas Administrative Codes (TAC)**, and **HHSC** survey inspections are required.

After an extensive practicum study the summer before my 3L year in law school, I found that the 10K+ group homes across Texas are riddled with abuse, neglect, and fatalities. One such fatality was Mr. James, a non-verbal autistic man living in a Rescare group home in Austin, who was left to wander down the street, barge into a family home, and be killed by a homeowner believing him to be a dangerous intruder. Rescare was responsible for this fatality. BUT FOR the negligence of Rescare, Mr. James would still be with us today. This tragedy is just a microcosm of an ocean of systemic problems.

The U.S. Supreme Court case, ***Olmstead v Zimring***, defined the ADA's requirements for moving someone from a structured institutional setting into a community home, *Olmstead v Zimring*, 527 U.S. 581, 582 (1999). In his

concurring opinion, Justice Kennedy warned states against "driving those in medical need and treatment…into settings with **too little assistance and supervision**. *Id.* He further warned against states "being pressured into attempting **compliance on the cheap, placing marginal patients into integrated settings devoid of the services and attention necessary for their condition**." *Id.* But cheap compliance is our current group home infrastructure, and this culture needs to be changed. This is why I strongly urge passage of HB 149 today, to allow a study group to evaluate state and local standards of group homes, analyzing complaints, and providing transparency into what is going on inside these homes. This is a small, but proactive step toward positive change to raise the group home safety standard bar.

**HCS Group Homes qualify as a community home under Ch. 123 of Texas Human Resources Code*