

FOR IMMEDIATE RELEASE

A Decisive Victory for People with Disabilities

DLC Hails Federal Agreement Freeing Coloradans from Nursing Homes

[Denver, CO | Nov. 14, 2024] The U.S. Department of Justice has announced a major legal settlement with the State of Colorado—one that disability rights leaders are calling a turning point in the fight for independence. The agreement makes it easier for Coloradans to live in homes of their choosing instead of being stuck in a hospital-like nursing home.

Disability Law Colorado (DLC), a nonprofit civil rights agency for Coloradans with disabilities, hailed the new settlement.

“People with disabilities should not be warehoused in nursing homes,” said Emily Harvey, DLC’s co-legal director. “This is a turning point for thousands of Coloradans with disabilities who have been hidden away for far too long.”

The settlement caps an eight-year-long battle. DLC filed a complaint against the Colorado Department of Health Care Policy and Financing in 2016. DLC’s allegation: the state was effectively forcing Coloradans with disabilities to live in nursing homes instead of allowing them to receive care at home or in their communities.

A Medicaid recipient in southern Colorado, for example, went into a nursing home following a medical procedure. She expected to stay for only a few months but was forced to stay far longer because Colorado’s Medicaid program refused to cover the cost of a ramp at her home.

Such practices, the DOJ found, violate the Americans with Disabilities Act. The ADA requires that people with disabilities be allowed to live in the least restrictive settings possible.

Following a federal lawsuit and a year of negotiations, the DOJ and the state entered into a settlement agreement on Oct. 31, 2024. Under the agreement, Colorado must provide a variety of services—including counseling, housing vouchers, and more accessible units—to help Medicaid recipients stay in or return to the community. DLC encourages families, nursing homes, and community providers to review the [agreement](#) and report any suspected noncompliance to dlcmail@disabilitylawco.org.

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About Disability Law Colorado: DLC is a nonprofit civil rights agency, authorized by federal law to combat discrimination, abuse, and neglect. We aim to make Colorado the best place in America to live and work with a disability.

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