

CT ARC was involved as plaintiff

CT Traumatic Brain Injury

Norwich or Fairfield

include parents  
family members

Two classes: (1) persons (w) MR

(2) persons (w) TBI

to enjoin the practice of placing & retaining  
non-dangerous people @ MR &/or TBI  
in state hospitals for persons w/ MI where  
the treatment & training they need  
is unavailable.

Placements are made for the sole purpose  
of providing custodial care to people  
who have no other place to live.

Violates 14<sup>th</sup> Amendment

Retab Act of 1973

ADA

rights under Youngberg

Remedy

\* Classwide injunctive relief which would  
halt admissions of people (w) MR or TBI to  
Norwich, CT Valley Hospital or Fairfield N.H.

\* Community placement where program settings  
where their maximum needs can be met.



CT v. Hogan

7/25/95

- Place all class members @ MA in community settings by 6/30/96 for @ least one-half of such class members & by 6/30/97 for the remainder.
- Limited interim placements for Fairfield Hill hospital residents because it may close before comm. pl. can be made.
- Can not be re-admitted to or committed to state psychiatric hospitals
- Placements, programs, services, protections, & qual. assurance in accordance @ the standards, policies, & procedures dev. through CARC v. Thione
- <sup>provision of</sup> adequate indep. adv. services during placement & program planning, transition & comm. pl.
- implement comm. pl. & prog. standards of CARC v. Thione by state

est. policies, procedures, & strategies  
to avoid unapp. admission of class  
members @ MR to psyc. hospitals

\* guarantee of return to DNR placement

\* est. DNR despite resolution procedures