



ORCHID MENTAL HEALTH LEGAL ADVOCACY OF COLORADO, INC.

WWW.ORCHIDADVOCACY.ORG

February 10, 2022

Governor Jared Polis
State of Colorado

Lt. Governor Dianne Primavera
State of Colorado

Via E-mail to:

Kara Veitch, Esq.
Chief Legal Counsel to Governor Polis
kara.veitch@state.co.us

Dear Governor Polis and Lt. Governor Primavera:

This letter is seeking clarification regarding State efforts to comply with Olmstead, especially with respect to Supportive and Accessible Housing.

We put Olmstead on the back burner to see what would materialize from the Behavioral Health Task Force and a commitment in the Summer of 2021 to “Measurable Goals.”

With respect to the Behavioral Health Task Force, it failed to serve as a substitute for Substantial Olmstead Compliance.

With respect to “Measurable Goals” --- as far as I know they haven’t materialized more than 6 months after the commitment.

There is a Disability Coordinator position that seems designed to research Olmstead best practices --- but as of December 2021 – it did not appear there was going to be an Olmstead Plan in the next 12 months for Colorado.

While some efforts are laudable, it should not come as a surprise that these efforts are NOT legally sufficient.

Now we understand that there is an Olmstead effort with respect to housing. Disability Housing is the #1 priority from the perspective of many stakeholders and we're glad to see this effort.

We're also interested in establishing easy, effective, and inclusive means of communication regarding the State's Olmstead efforts.

We would suggest regular updates to the Colorado Department of Health Care Policy and Financing website on [Colorado's Olmstead Initiative](#) with an option to sign up for e-mail updates.

We are weighing our options including the possibility of seeking a Declaratory Judgment when States have failed to:

- **bring Disability Housing and Services to scale, or**
- **Implemented a Comprehensive and Effective Olmstead Plan to bring Disability Housing and Services to scale.**

There are few States that are openly opposed to Olmstead while few States are in substantial compliance.

We know there are practical issues to be addressed --- it is a lot easier to address those if Stakeholders are IN THE LOOP, reasonable timeframes are established and communicated, and stakeholders feel included in the problem-solving process.

There are a lot of stakeholders to be included because Olmstead Compliance in general and provision of Disability Housing to scale specifically have not been achieved in Colorado. Further, currently the State does not have a comprehensive or effective plan to do so.

Please respond to this letter on or before Tuesday, February 22, 2022.

Sincerely,

/s/ Val Corzine

**Valerie (Val) L. Corzine, Esq.
Executive Director
vcorzine@orchidadvocy.org**

Cc: Josh Winkler
[Colorado Disability Funding Committee](#) Coordinator
and Policy Advisor
josh.winkler@state.co.us