

Premier Campbell restricts eligibility for community living supports

From Dawn Steele, Moms on the Move, July 23, 2008

BC Liberals approve Order in Council restricting CLBC services to adults with IQ under 70

Premier Gordon Campbell and his BC Liberal Cabinet have approved new regulations that will severely restrict eligibility for the support services that Community Living BC provides to adults with developmental disabilities.

The move will perpetuate extreme suffering and pose enormous risks for profoundly-impaired adults, their families and communities. It is a purely cost-saving measure to ration spending, at a time when the Province has just declared a \$3.9 BILLION budget surplus. The change was made with no warning or public consultation. There has been no mention of any risk assessment. There was no formal announcement.

The Order in Council (attached) was approved July 18, weeks after responsibility for CLBC was moved from under Minister Tom Christensen at the Ministry for Children and Families and handed to the controversial new Minister of Housing and Social Services, Rich Coleman. (In his first day in office, Coleman was quoted in the media as supporting re-institutionalization for vulnerable adults.) The recommendation was signed June 12 by Gordon Campbell and Tom Christensen.

The new eligibility regulations violate all professional advice and current international practice. They add a further IQ restriction of 70 points on top of the standard international diagnostic criteria that define developmental disability. In other words, to be eligible for community living supports, individuals will have to meet standard criteria for developmental disability AND also have an IQ of less than 70.

The move to restrict eligibility to cut costs puts BC, once at the forefront of the international community living movement, among the most regressive jurisdictions in the world. It represents a huge step backwards in the efforts to develop humane and reasonable frameworks to allow severely impaired individuals to avoid lives of constant crisis, risk and severe stress for themselves and all those around them so that they can live productive lives with dignity in their communities.

Many individuals with autism and FASD and high IQ are capable of living peaceful, productive lives with the right supports, even holding a job and paying taxes. But they are also among those most vulnerable to falling into trouble with the law, drugs, violence, and or developing additional mental health complications from the severe stresses imposed by their inability to cope with the world unaided.

It will not save taxpayers any money if these individuals are forced to rely instead on the courts, police, hospitals and other costly front-line crisis intervention services. Highly vulnerable to manipulation and abuse, they are among those most likely to end up in places like the Downtown Eastside, easy prey to drug dealers, pimps and other predators.

Professionals, service providers, families, the media and even the new provincial Representative for Children and Youth have all repeatedly and patiently explained to the BC Liberals that IQ is often irrelevant to functional capacity, especially in disorders like FASD and autism, the increasing prevalence of which has highlighted the unreliability of IQ as an indicator of need. Dustin Hoffman's famous Rain Man character provided the classic example of how IQ is irrelevant to the need for support, and how some individuals with high IQ may in fact be profoundly developmentally disabled.

Despite all this evidence, the BC Liberals have been trying to restrict eligibility to individuals with IQ under 70 since CLBC's establishment in 2005. This has led to appalling situations where young adults with the functional capacity of 6-year olds were put out on the streets to fend for themselves.

One outraged parent challenged this practice in the recent Fahlman court challenge, which upheld that CLBC had no legal basis for rejecting services on the basis of IQ level. Nevertheless, CLBC continued to defy the court rulings, on instructions from Premier Campbell and his BC Liberals, leaving the crown agency open to further legal action. The Order in Council approved July 18 now closes that loophole and provides CLBC with the legal grounds to deny any services or supports to individuals with IQ levels of 70 or over, no matter how dire their need.

This is a disgraceful, inexcusable move. It is not the way a civilized society operates. It will exacerbate the homeless crisis and it will not save taxpayers any money. I firmly believe that ordinary British Columbians would not want their government to act in such a cruel manner, which is why this has been done so secretly. I urge all those who have influence to speak up against this and to force the Premier to reconsider.

A first step would be to demand that the Premier provide a risk assessment showing how many individuals would have otherwise been eligible for services without the new IQ requirement; what would be the costs of providing the necessary services and what are the risks of failing to do so.

There is no indication at this point about whether the new restrictions would affect services for children, many of which will remain under CLBC for the short term until they are transferred back to MCFD.