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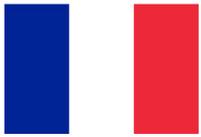
Realizing the Human Right to Community Living for People with Disabilities: Challenges for Social Work in France and the United States



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Community Living: Persons with disabilities choose their place of residence and with whom they live on an equal basis with others; they are not obliged to live in a particular living arrangement. They have access to a range of support services to support full participation in their communities.

Disability Rights Law and Community Living: France



La Loi 2005-102 du 11 février pour l'égalité des droits et des chances, la participation et la citoyenneté des personnes handicapées (la loi handicap)

- Right to access to new collective housing, public buildings, and transport
- Right to compensation for disability to achieve inclusion for housing modification, personal assistance, other needs
- Prestation de Compensation du Handicap (PCH) based upon an individual "life plan"
- Maison Departementale des Personnes Handicapées determine eligibility, level of disability and facilitate agreement on the plan and benefits

Disability Rights Law and Community Living: United States



Americans with Disabilities Act, 1990 (ADA)

- ADA Title II prohibits discrimination on the basis of disability in the activities of state & local government
- Services must be provided in "the most integrated setting;"
- 1999 Olmstead decision: keeping someone unnecessarily in an institutional setting is discrimination and violates the ADA
- Public entities must provide community-based services (living) where appropriate, accepted by the person, and feasible

Questions and Methods

Research questions

- How do France and the U.S. implement rights for community living and inclusion?
- What are the barriers and facilitators of increased community living in each country?
- What are the challenges and impact upon the roles of social workers?

Methods

- Review of the literature: journal articles, government reports, and agency documents.
- Key informant interviews: with local government, disability service agencies, and people with disabilities.

Living settings: France

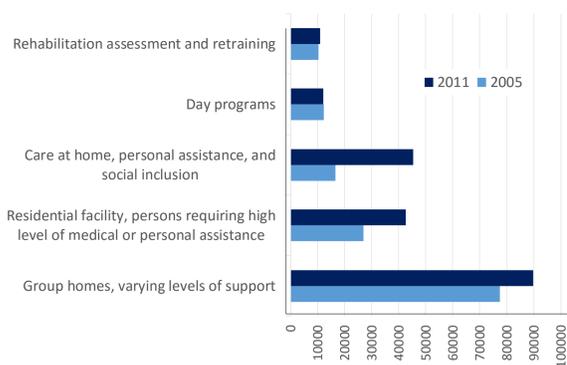


Fig. 1 Number of places for support in residential and community settings

Allocations to individuals for environmental adaptations and personal assistance increased from 139,000 to 223,000 (2006-2012)

Living settings: U.S.

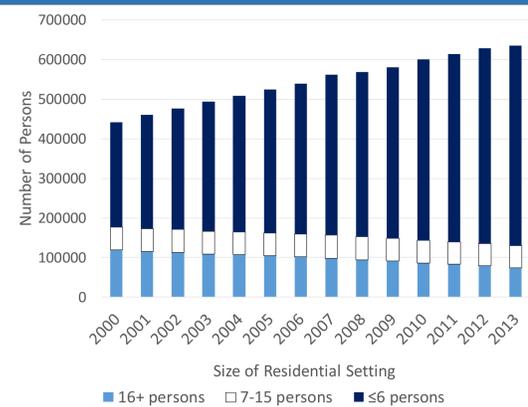


Fig. 2 Residential setting of persons with intellectual or developmental disabilities

France-U.S. Similarities	France-U.S. Differences
Use a social model of disability in their laws	Emphasis on rights, enforcement, and use of legal structures
Acknowledgement that large institutional settings are not community living	Financing of needed accommodations as a part of right to community living
Individualized plans are developed for community living and inclusion	Implementation structure for individually directed expenditure for community living
Option exists for individual control of public funds to implement the individual plan	Importance of social workers in the law's implementation

Challenges for Social Workers

- The ability to be flexible and creative to facilitate new solutions to problems that have had standardized solutions
- See the big picture, coordinate across the many different actors
- The ability to accompany, and not impose "what you think is best"
- In the U.S. the challenge is to see that supporting autonomy and guiding person-centered planning is social work
- In France, the challenge is to navigate potentially conflicting roles: accompanying for self-determination, and providing assessment and recommendation to the government agency

Factors in the Two Countries

Barriers

- Inaccessibility of existing apartments and houses
- Inaccessible community environments--transport, shopping, and security
- Traditional bias for social agency operated group housing
- Fear of family members, professionals, and some people with disabilities of the potential for harm
- Concerns about the costs of supporting individuals who need assistance at all times

Facilitators

- Funds for home adaptation, assistive devices, and personal assistance to enable a housing choice
- Persons with expertise who can assist with finding housing and implementing the individual plan
- Commitment to community living by traditional service providers
- Advocacy organizations and assertive individuals with disabilities to pressure government in its implementation of the law

Figure Sources

Figure 1. Caisse nationale de solidarité pour l'autonomie (2012). 2012 Les chiffres clés de l'aide à l'autonomie, <http://www.cnsa.fr/documentation/cnsa-chiffres-cles-01-06-2015-1.pdf>

Figure 2. Braddock, et. al. (2014). Coleman Institute and Department of Psychiatry, University of Colorado, <http://www.stateofthestates.org/documents/UnitedStates.pdf>

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