



U.S. Department of Justice

Civil Rights Division

*Assistant Attorney General
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June 18, 2024

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Re: Notice Regarding Investigation of Missouri's Use of Nursing Facilities and Guardianship for Adults with Mental Health Disabilities

Dear Sirs:

The Department of Justice has completed its investigation into whether the State of Missouri unnecessarily institutionalizes adults with mental health disabilities in nursing facilities. The investigation was conducted under Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. §§ 12131-12134.

After carefully reviewing the evidence, we conclude that the State of Missouri violates Title II of the ADA by failing to provide services to adults with mental health disabilities in the most integrated setting appropriate to their needs. Consistent with the ADA's regulations, the enclosed report includes our findings of fact and conclusions of law, and the measures that we believe will remedy the alleged violations.

We thank the State for cooperating with our investigation and providing access to staff, documents, and data. We hope to work with the State to achieve a consensual resolution of the violations identified in the report. The lawyers assigned to this investigation will contact counsel for the State to arrange those discussions. We are obliged to advise you that, in the event we are unable to reach such a resolution, we may take appropriate action, including initiation of a lawsuit, to ensure the State's compliance with the ADA. In addition, the complainant to our agency maintains the right to file a lawsuit at any time. *See* 28 C.F.R. § 35.172(d). Please also note that this Report is a public document. It will be posted on the Civil Rights Division's website.

If you have any questions regarding this correspondence, please call Steven H. Rosenbaum, Chief of the Special Litigation Section, at (202) 616-7157.

Sincerely,

/s/ Kristen Clarke

Kristen Clarke
Assistant Attorney General
Civil Rights Division

cc: The Honorable Michael L. Parson
Governor of Missouri

Valerie Huhn
Director, Missouri Department of Mental Health

Robert Knodell
Director, Missouri Department of Social Services

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