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March 13, 2024

The Honorable Jim Justice  
Governor of the State of West Virginia  
State Capitol, 1900 Kanawha Blvd. E  
Charleston, WV 25305  
[govofficecomm@wv.gov](mailto:govofficecomm@wv.gov)  
[Brian.R.Abraham@wv.gov](mailto:Brian.R.Abraham@wv.gov)

***Sent via E-Mail***

Dear Governor Jim Justice:

The West Virginia Developmental Disabilities Council (the Council) is writing to express our concerns regarding the Budget Bill (SB 200) that was passed by the West Virginia Legislature on March 9, 2024. This bill cuts funding for the Title XIX Intellectual and Developmental Disabilities 1915c Waiver by 10% or \$10,854,174. This also represents a loss of approximately \$30,636,992 in matching federal funds. This equates to approximately \$41,491,166 of services that cannot be provided to vulnerable people who rely upon them for their everyday needs.

While the Council appreciates the Legislature's desire for more transparency for how State taxpayer funds are spent, if let stand, this action will put people into serious jeopardy. These cuts negatively and directly affect many people who cannot speak for themselves or may not even have someone in their life to speak for them.

This Legislature has heard from numerous experts and stakeholders who have outlined the troubling abuse and neglect cases within this population at the hands of the very providers charged to support them. These include cases where people have tragically died. Every expert and study commissioned by the Legislature has reiterated the need for more funding, not less. Even maintaining a flat budget is not enough to make the changes that are so desperately needed.

This Waiver Program provides vital services to people with intellectual and developmental disabilities to be able to remain in their home and community as mandated by Title II of Americans with Disabilities Act and upheld by the U.S. Supreme Court in *Olmstead v. L.C.* Moreover, it is simply the right thing to do for these West Virginians.

The West Virginia Developmental Disabilities Council is a 32-member organization consisting of citizens with developmental disabilities, family members, and representatives from State agencies and private

organizations concerned with the provision of services to people with developmental disabilities. Over 60% are Governor appointed citizen members who have developmental disabilities and family members of children and adults who find it difficult to advocate for themselves.

The mission of the Council is to assure that West Virginians with developmental disabilities receive services, supports, and other forms of assistance needed to achieve independence, productivity, integration, and inclusion in the community. One of the ways the Council carries out its mission is to provide information to policymakers on issues that may affect people with developmental disabilities.

Sincerely,



Tina E. Wiseman  
Executive Director

cc: Brian Abraham, Chief of Staff to the Governor  
Brandy Beery, Chairperson of the DD Council  
Lynsay Frye, Vice Chairperson of the DD Council