



ANGELO SANTABARBARA, PE  
Assemblyman 111<sup>th</sup> District

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

CHAIR  
Committee on  
People with Disabilities  
COMMITTEES  
Energy  
Governmental Employees  
Mental Health  
Racing and Wagering

June 22<sup>nd</sup>, 2026

Commissioner Willow Baer  
New York State Office for People With Developmental Disabilities  
44 Holland Avenue  
Albany, NY 12229

Dear Commissioner Baer:

I am writing as Chair of the New York State Assembly Committee on People with Disabilities regarding a recent opinion issued by the U.S. Department of Justice that has raised concerns among disability advocates, providers, self-advocates, and families about the future of community-based services and supports for people with disabilities.

The opinion questions a long-standing interpretation of federal disability rights law that has guided disability policy since the landmark 1999 Supreme Court Olmstead decision. Disability advocates have warned that if the DOJ's interpretation prevails in future litigation and policy decisions, it could weaken legal protections that have helped people with disabilities receive services in community-based settings, including group homes and other supports, rather than institutional settings. Advocates fear this could leave individuals and families with fewer options and ability to challenge decisions regarding where services are provided.

In New York, these principles have helped expand community-based supports through OPWDD, allowing thousands of individuals with disabilities to live with family, receive services in their communities, pursue employment opportunities, and remain connected to the people and supports they rely on every day.

Given the concerns raised by members of the disability community and the potential impact on New Yorkers with disabilities and their families, I respectfully request information regarding the potential impact of this opinion on individuals who receive services through OPWDD.

Specifically:

1. Has OPWDD conducted or initiated a review of the DOJ opinion and its potential impact on New Yorkers with developmental disabilities?

2. Does OPWDD believe existing New York State laws, regulations, and policies provide sufficient protections to ensure individuals with disabilities continue to have access to community-based services and supports if federal disability policy or legal interpretations change?
3. Are there any areas where OPWDD has identified potential gaps in existing protections that warrant further review?
4. What steps, if any, is OPWDD taking to monitor this issue and communicate with individuals, families, providers, and advocates regarding potential impacts?

The questions raised by this opinion deserve careful review. As Chair of the Assembly Committee on People with Disabilities, I am seeking a thorough assessment from OPWDD regarding the potential impact on New Yorkers with disabilities and their families, as well as whether existing state protections remain sufficient. Given the significance of this issue, I would appreciate a response at your earliest convenience. I appreciate your attention to this matter and look forward to reviewing the agency's findings and response.

Sincerely,

A handwritten signature in black ink, appearing to read "Angelo Santabarbara". The signature is fluid and cursive, with a large loop at the end.

Angelo Santabarbara, PE

Chair, Assembly Committee on People with Disabilities

Member of the New York State Assembly

111th District | Representing areas of Montgomery & Schenectady Counties