

SENATE JOINT RESOLUTION 498

By Massey

A RESOLUTION to congratulate the State of Tennessee upon successful completion of the Exit Plan and subsequent dismissal of the Arlington Developmental Center lawsuit.

WHEREAS, this legislative body is resolute in its belief that government is responsible for the care and protection of our most vulnerable citizens, such as those who are intellectually and developmentally disabled by conditions and circumstances that render them dependent on others for their safety and nurturing; and

WHEREAS, legal action was brought in the United States District Court for the Western District of Tennessee in 1992 in a suit, which complained of the State's failure to provide proper care and protection of residents of Arlington Developmental Center; and

WHEREAS, in due time, plaintiffs and defendants embarked on a two-decade-long journey to resolve their differences in policies, practices, and approaches for care of Tennessee's most vulnerable citizens; and

WHEREAS, the State and plaintiffs have been guided constantly by a federal arbiter of justice who has exercised keen oversight and balanced rulings throughout the process of reforming the State's system of care for the protected class of citizens; and

WHEREAS, the dedicated efforts and hard work of exceptional experts of the State's Department of Intellectual and Developmental Disabilities, the Bureau of TennCare, and the lawyers representing the plaintiffs have made possible the settlement of this hallmark case while leading to the development and implementation of quality assurance and protection from harm programs that have been nationally acclaimed as state-of-the-art approaches for the care of severely and profoundly disabled citizens; and

WHEREAS, on December 4, 2013, the Honorable Jon P. McCalla, U.S. District Court Judge, vacated all injunctive relief outstanding in this case, finding defendants have complied with all material provisions on the court-ordered and agreed upon Exit Plan and dismissed this long-standing and historic litigation; and

WHEREAS, the State of Tennessee, through its host of public servants who have actualized meaningful relief to those afflicted citizens by means of system of care improvements and the tireless advocacy of families and caregivers, should thusly be commended for accomplishing closure in this lengthy, complex, and worthy litigation which has brought about improved well-being for many Tennesseans; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED EIGHTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that we congratulate the State of Tennessee for successful completion of the longstanding federal litigation known as the Arlington Developmental Center lawsuit, thanking all parties involved for the efforts and accomplishments that have brought about improvements in the care and safety of Tennessee's most vulnerable citizens.

BE IT FURTHER RESOLVED, that an appropriate copy of this resolution be prepared for presentation with this final clause omitted from such copy.