



ATRA in Action: Advocacy and Legislative Alert

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ACTION ALERT: LAWSUIT REGARDING INTEGRATED COMMUNITY SETTING REQUIREMENTS IN SECTION 504 OF THE REHABILITATION ACT

[Washington, DC, March 2026) – Nine states are suing the Department of Health and Human Services over 2024 updates to Section 504 of the Rehabilitation Act of 1973 stating that requirements are unconstitutional and that HHS has overstepped its authority.

What is the issue? Nine states including **Texas, Alaska, Florida, Indiana, Kansas, Louisiana, Missouri, Montana, and South Dakota** are part of a lawsuit against the Department of Health and Human Services. In the lawsuit *Texas v. Kennedy*, the states are challenging the 2024 update to Section 504 which includes the right to receive services in the person's community rather than in an institution; a ban on discrimination due to disability in medical treatment decisions including organ transplants and in cases of limited resources/equipment; accessible medical equipment and websites; and requirements for reasonable accommodation and effective communication. In addition, the case challenges *Olmstead* – the 1999 decision by the Supreme Court that states must provide services to people with disabilities in the most appropriate, integrated community setting.

Section 504 of the Rehabilitation Act of 1973 is a foundational civil rights law prohibiting discrimination based on disability in any program or activity that receives federal funds, including schools, hospitals, state and local agencies, and nonprofit organizations.

What does this lawsuit mean? Disability advocates and the disability community state that removing the integration mandate would violate the Americans with Disabilities Act (ADA) and *Olmstead*. There is a significant concern that removing this mandate will return to the practice of institutionalizing individuals with disabilities.

What can/should I do? If you live in one of the nine states involved in the lawsuit – **Texas, Alaska, Florida, Indiana, Kansas, Louisiana, Missouri, Montana, and South Dakota** - contact your state attorney general and your governor to express your concerns about their participation in this lawsuit and the impact it will have on individuals with disabilities. A sample letter has been provided as part of this advocacy and legislative alert.

State Contacts

State	Attorney General	Governor
Texas	Ken Paxton https://www.texasattorneygeneral.gov/contact-us	Greg Abbott https://gov.texas.gov/contact
Alaska	Stephen J. Cox attorney.general@alaska.gov	Mike Dunleavy https://gov.alaska.gov/contact/email-the-governor/
Florida	James Uthmeier https://legacy.myfloridalegal.com/contact.nsf/contact?Open&Section=Citizen_Services	Ron DeSantis https://flgov.com/eog/leadership/people/ron-desantis/contact
Indiana	Todd Rokita https://www.in.gov/attorneygeneral/	Mike Braun https://www.in.gov/gov/contact-gov-braun/
Kansas	Kris Kobach https://www.ag.ks.gov/file-a-complaint	Laura Kelly https://www.governor.ks.gov/contact/contact
Louisiana	Liz Murrill constituentservices@ag.louisiana.gov	Jeff Landry gov.louisiana.gov https://gov.louisiana.gov/contact-the-governors-office
Missouri	Catherine Hanaway https://ago.mo.gov/	Mike Kehoe https://governor.mo.gov/contact-us
Montana	Austin Knudsen https://dojmt.gov/contact-mt-doj/	Greg Gianforte https://montana.servicenowservices.com/gov?id=sc_cat_item&sys_id=80efbfe91b8a5d100b73a8efe54bcbcd
South Dakota	Marty Jackley https://atg.sd.gov/Contact.aspx#gsc.tab=0	Larry Rhoden https://iqconnect.lmhostediq.com/iqextranet/EForm.aspx?_cid=FSL_SD_GOV&_fid=2100060

What's next? ATRA continues to monitor this lawsuit and related legislation. We will continue to collaborate and work with our coalition partners and state chapters to advocate on this issue.

Sample Email for Your Use

Dear [Governor/Attorney General Name],

I am writing to you as a constituent who is deeply concerned by our state's participation in Texas v. Kennedy, the lawsuit challenging the 2024 updates to Section 504 of the Rehabilitation Act of 1973.

This lawsuit threatens protections that people with disabilities in our state depend on every day. Section 504 is not just a legal concept — it is the reason a child with a learning disability gets a 504 plan at school, the reason a person with a physical disability can access their doctor's office, and the reason a people with disabilities are able to live in their community rather than in an institution.

The integration mandate that this lawsuit targets, which is rooted in the Supreme Court's 1999 Olmstead decision — is what keeps people with disabilities out of institutions and living with dignity and autonomy in their communities. Rolling this mandate back would not save money or reduce government overreach and it would cause real harm to people with disabilities in our state.

I strongly urge you to withdraw our state from this lawsuit. The disability community and your constituents will be negatively impacted and actual harm will be caused if this lawsuit continues.

Respectfully,