
HOUSE JOINT MEMORIAL 4024

State of Washington 61st Legislature 2010 Regular Session

By Representatives Angel, Wallace, Haler, and Moeller

Read first time 01/15/10. Referred to Committee on Human Services.

1 TO THE HONORABLE BARACK OBAMA, PRESIDENT OF THE UNITED STATES, AND
2 TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
4 UNITED STATES, IN CONGRESS ASSEMBLED:

5 We, your Memorialists, the Senate and House of Representatives of
6 the State of Washington, in legislative session assembled, respectfully
7 represent and petition as follows:

8 WHEREAS, People with disabilities find the term "mentally retarded"
9 to be disrespectful and degrading; yet its usage has persisted in
10 medicine and the law until recently; and

11 WHEREAS, The term "intellectual disability" can be applied to the
12 same persons who were previously diagnosed or identified in statute and
13 regulation with the terms "mental retardation," and "mentally
14 retarded," replacement of the term "mental retardation" with
15 "intellectual disability" would not affect or alter service eligibility
16 requirements or in any other way change the substance or effect of the
17 law; and

18 WHEREAS, Today, there is widespread recognition in the
19 professional, legal, and medical communities that the term "mental
20 retardation" is hurtful and inappropriate, with the result that in

1 1992, The Arc of the United States, which serves individuals with
2 intellectual disabilities, eliminated the word "retarded" from its name
3 (formerly "Association of Retarded Citizens"), and is now known simply
4 as "The Arc of the United States." In 2007, the American Association
5 on Intellectual and Developmental Disabilities also eliminated "mental
6 retardation" from its name, and has declared that "mental retardation
7 and intellectual disability are two names for the same thing"; and

8 WHEREAS, On July 25, 2003, President Bush signed Executive Order
9 13309, renaming the President's Committee on Mental Retardation as the
10 President's Committee for People with Intellectual Disabilities; and

11 WHEREAS, In 2009, the Legislature of the State of Washington
12 enacted House Bill 1835 (chapter 377, Laws of 2009), which mandates
13 replacement of all references to "mental retardation" with the term
14 "intellectual disabilities"; and

15 WHEREAS, "Rosa's Law," a bipartisan bill introduced by United
16 States Senators Barbara Mikulski of Maryland and Michael Enzi of
17 Wyoming, would substitute the outdated terms "mental retardation" and
18 "mentally retarded" with the terms "intellectual disability" and
19 "individual with an intellectual disability" in federal health,
20 education, and labor policy statutes; and

21 WHEREAS, Passage of federal legislation with similar effect would
22 encourage states and other jurisdictions to act in conformity by
23 replacing references to "mental retardation" with "intellectual
24 disability" and address concerns regarding maintaining eligibility for
25 services or benefits and the consistent application of federal and
26 state law;

27 NOW, THEREFORE, Your Memorialists respectfully request that the
28 Congress of the United States pass legislation that eliminates the use
29 of the terms "mental retardation" and "mentally retarded" from federal
30 law and substitute the term "intellectual disability" and "individual
31 with an intellectual disability," and that the President of the United
32 States sign such legislation into law.

33 BE IT RESOLVED, That copies of this Memorial be immediately
34 transmitted to the Honorable Barack Obama, President of the United
35 States, the President of the United States Senate, the Speaker of the
36 House of Representatives, and each member of Congress from the State of

1 Washington.

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