

CHAPTER 161**(HB 270)**

AN ACT relating to mental retardation and developmental disabilities.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 210.575 is amended to read as follows:

- (1) There is created the Kentucky Commission on Services and Supports for Individuals with Mental Retardation and Other Developmental Disabilities. The commission shall consist of:
 - (a) The secretary of the Cabinet for Health Services;
 - (b) The secretary of the Cabinet for Families and Children;
 - (c) The commissioner of the Department for Mental Health and Mental Retardation Services;
 - (d) The commissioner of the Department for Medicaid Services;
 - (e) The commissioner of the Department of Vocational Rehabilitation;
 - (f) The director of the University Affiliated Program at the Interdisciplinary Human Development Institute of the University of Kentucky;
 - (g) The director of the Kentucky Council on Developmental Disabilities;
 - (h) Two (2) members of the House of Representatives, appointed by the Speaker of the House;
 - (i) Two (2) members of the Senate, appointed by the Senate President; and
 - (j) Public members, appointed by the Governor as follows:
 1. Five (5) family members, at least one (1) of whom shall be a member of a family with a child with mental retardation or other developmental disabilities, and one (1) of whom shall be a member of a family with an adult with mental retardation or other developmental disabilities. Of these five (5) family members, at least two (2) shall be members of a family with an individual with mental retardation or other developmental disabilities residing in the home of the family member or in a community-based setting, and at least two (2) shall be members of a family with an individual with mental retardation or other mental disabilities residing in an institutional residential facility that provides service to individuals with mental retardation or other developmental disabilities;
 2. Three (3) persons with mental retardation or other developmental disabilities;
 3. Two (2) business leaders;
 4. Three (3) direct service providers representing the Kentucky Association of Regional Programs and the Kentucky Association of Residential Resources; and
 5. One (1) representative of a statewide advocacy group.
- The six (6) appointments made under subparagraphs 1. and 2. of this paragraph shall be chosen to reflect representation from each of Kentucky's six (6) congressional districts.
- (2) The secretary of the Cabinet for Health Services shall serve as chair of the commission.

- (3) Members defined in paragraphs (a) to (i) of subsection (1) of this section shall serve during their terms of office. All public members appointed by the Governor shall serve a four (4) year term and may be reappointed *for one (1) additional four (4) year term*.
- (4) All public members of the commission shall receive twenty-five dollars (\$25) per day for attending each meeting. All commission members shall be reimbursed for necessary travel and other expenses actually incurred in the discharge of duties of the commission.

Section 2. KRS 210.577 is amended to read as follows:

- (1) The commission created in KRS 210.575 shall meet at least quarterly ~~during the 2000-2001 biennium, at least biennially thereafter,~~ or upon the call of the chair, the request of four (4) or more members, or the request of the Governor.
- (2) The commission shall serve in an advisory capacity to accomplish the following:
 - (a) Advise the Governor and the General Assembly concerning the needs of persons with mental retardation and other developmental disabilities;
 - (b) Develop a statewide strategy to increase access to community-based services and supports for persons with mental retardation and other developmental disabilities. The strategy shall include:
 1. Identification of funding needs and related fiscal impact; and
 2. Criteria that establish priority for services ~~for individuals approved for slots~~ that consider timeliness and service needs;
 - (c) Assess the need and potential utilization of specialized outpatient clinics for medical, dental, and special therapeutic services for persons with mental retardation and other developmental disabilities;
 - (d) Evaluate the effectiveness of state agencies and public and private service providers, including nonprofit and for-profit service providers, in:
 1. Dissemination of information and education;
 2. Providing outcome-oriented services; and
 3. Efficiently utilizing available ~~slots and~~ resources, including blended funding streams;
 - (e) Develop a recommended comprehensive ten (10) year plan for placement of qualified persons in the most integrated setting appropriate to their needs;
 - (f) Recommend an effective quality assurance and consumer satisfaction monitoring program that includes recommendations as to the appropriate role of family members, persons with mental retardation and other developmental disabilities, and advocates in quality assurance efforts; and
 - (g) Advise the Governor and the General Assembly on whether the recommendations should be implemented by administrative regulations or proposed legislation ~~for the 2002 General Assembly~~.
- (3) ~~Within six (6) months after April 14, 2000, the secretary of the Cabinet for Health Services shall present the plan to the Governor and the members of the General Assembly.~~

~~(4)~~ The commission shall review the plan annually and shall submit annual updates no later than October 1 to the Governor and the Legislative Research Commission.

~~[(5) The commission shall cease to exist four (4) years after April 14, 2000, unless otherwise reauthorized by the General Assembly.]~~

Approved March 31, 2003