

1 AN ACT relating to individuals with intellectual and developmental disabilities.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 210 IS CREATED TO  
4 READ AS FOLLOWS:

5 (1) As used in this section, "developmental disabilities" has the same meaning as in  
6 KRS 387.510.

7 (2) The General Assembly finds that in addition to the rights provided under KRS  
8 Chapter 347 for developmentally disabled persons, the rights of individuals with  
9 intellectual or developmental disabilities include but are not limited to the right  
10 to:

11 (a) Be treated at all times with courtesy and respect and with full recognition of  
12 their dignity and individuality;

13 (b) Accessible, appropriate, safe, equal, and sanitary living, learning, and  
14 working environments that comply with local, state, and federal standards  
15 and recognize the individual's need for privacy and independence;

16 (c) Practice the religion of their choice or to abstain from the practice of  
17 religion;

18 (d) Ownership and use of personal possessions to maintain individuality and  
19 personal dignity;

20 (e) Pursue vocational opportunities that will promote and enhance economic  
21 independence;

22 (f) Be treated equally as citizens under the law;

23 (g) Be free from emotional, psychological, verbal, and physical abuse;

24 (h) Participate in decisions that affect their lives and promote self-  
25 determination in relation to their cognitive abilities;

26 (i) Participate in their personal financial affairs to the extent not otherwise  
27 determined by order of a court of competent jurisdiction or otherwise by

1 law;

2 (j) Confidential treatment of all information in their personal and medical  
3 records, except to the extent that disclosure or release of records is  
4 permitted under KRS 210.235;

5 (k) Voice grievances and recommend changes in policies and services without  
6 coercion or discrimination;

7 (l) Freely participate in the political process to the extent provided by law;

8 (m) Communicate verbal or nonverbal refusal to participate in medical or  
9 psychological experiments;

10 (n) Participate in integrated programs of education, training, social  
11 development, habilitation, and recreation;

12 (o) Fair and equal wages in integrated work places; and

13 (p) Choose and maintain healthcare providers, personal care providers,  
14 services, and supports to the extent not otherwise required by order of a  
15 court of competent jurisdiction or otherwise by law.

16 (3) The general purposes of this section are to:

17 (a) Safeguard all individuals within the state from discrimination because of  
18 the person's status as an individual with an intellectual or developmental  
19 disability;

20 (b) Protect the individual's interest in personal dignity and freedom from  
21 humiliation;

22 (c) Make available to the state the individual's full productive capacities; and

23 (d) Further the interest, rights, and privileges of individuals with intellectual  
24 disabilities and developmental disabilities within the state.

25 (4) Nothing in this section shall be deemed to repeal any other law of this state  
26 relating to discrimination because of the person's status as a qualified individual  
27 with a disability as defined in KRS 344.030.

1           ➔Section 2. This Act may be cited as the Frank Huffman Act.