

1 AN ACT relating to the autism spectrum disorder trust fund and declaring an
2 emergency.

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

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 194A IS CREATED TO
5 READ AS FOLLOWS:

6 *(1) The autism spectrum disorder trust fund is hereby created in the State Treasury*
7 *as a separate trust fund. The fund shall be administered by the Cabinet for*
8 *Health and Family Services.*

9 *(2) The fund shall receive amounts from grants, contributions, appropriations, or*
10 *other moneys made available for the purposes of the fund.*

11 *(3) Notwithstanding KRS 45.229, fund amounts not expended at the close of a fiscal*
12 *year shall not lapse but shall be carried forward to the next fiscal year.*

13 *(4) Moneys in the fund shall be used to support autism spectrum disorder research*
14 *and services for Kentuckians. Funds shall be administered and distributed by the*
15 *Advisory Council on Autism Spectrum Disorders created in Section 2 of this Act*
16 *for the purposes set forth in this section and Section 2 of this Act.*

17 ➔Section 2. KRS 194A.624 is amended to read as follows:

18 (1) The Advisory Council on Autism Spectrum Disorders is hereby created and shall be
19 attached to the Office of Autism within the Cabinet for Health and Family Services
20 for administrative purposes.

21 (2) The Advisory Council on Autism Spectrum Disorders shall consist of the following
22 members appointed by the Governor:

23 (a) One (1) representative from the Department for Public Health;

24 (b) One (1) representative from the Department for Medicaid Services;

25 (c) One (1) representative from the Department for Community Based Services;

26 (d) One (1) representative from the Department of Public Advocacy;

27 (e) One (1) representative from the Department of Education;

- 1 (f) One (1) representative from the Department of Juvenile Justice;
- 2 (g) One (1) representative from the Department for Behavioral Health,
3 Developmental and Intellectual Disabilities;
- 4 (h) One (1) representative from the Office for Children with Special Health Care
5 Needs;
- 6 (i) One (1) parent or youth representative from the Commonwealth Council on
7 Developmental Disabilities;
- 8 (j) One (1) representative from the Kentucky Autism Training Center;
- 9 (k) One (1) representative from the Office of Vocational Rehabilitation;
- 10 (l) One (1) representative from the University of Louisville;
- 11 (m) One (1) representative from the University of Kentucky Human Development
12 Institute;
- 13 (n) One (1) representative from the University of Kentucky;
- 14 (o) One (1) representative from the Center for Autism Spectrum Evaluation,
15 Service, and Research;
- 16 (p) One (1) representative from the Education Professional Standards Board;
- 17 (q) One (1) pediatrician representative;
- 18 (r) One (1) representative from the Weisskopf Child Evaluation Center;
- 19 (s) One (1) representative from the First Steps Program;
- 20 (t) One (1) representative from the Arc of Kentucky;
- 21 (u) The director of the Office of Autism;
- 22 (v) At least one (1) consumer representative, an adult with a diagnosis on the
23 autism spectrum; and
- 24 (w) Five (5) citizen-at-large members.
- 25 (3) The co-chairs of the Advisory Council on Autism Spectrum Disorders shall be the
26 representatives appointed by the Governor from the University of Kentucky and the
27 University of Louisville.

- 1 (4) The Advisory Council on Autism Spectrum Disorders may invite individuals who
2 are not members to serve on committees and workgroups.
- 3 (5) Appointed members of the Advisory Council on Autism Spectrum Disorders shall
4 serve without compensation, but shall be reimbursed for actual expenses incurred in
5 the performance of duties in accordance with KRS 45.101 and administrative
6 regulations promulgated thereunder. Members of the council shall initially be
7 appointed to serve staggered terms and thereafter shall be appointed to serve a term
8 of four (4) years.
- 9 (6) The Cabinet for Health and Family Services, the Personnel Cabinet, the Finance
10 and Administration Cabinet, and the Office of the State Budget Director shall take
11 all necessary actions to effectuate this section.
- 12 (7) The Advisory Council on Autism Spectrum Disorders shall be responsible for:
- 13 (a) Promoting the vision for Kentucky's services and supports to persons on the
14 autism spectrum and their families and advocating for improved quality and
15 evidence-based practices for persons on the autism spectrum and their
16 families;
- 17 (b) Promoting the early screening, identification, early intervention, and
18 appropriate use of evidence-based practices and standards of care for persons
19 on the autism spectrum across the lifespan;
- 20 (c) Strengthening state, regional, and local level collaboration and coordination
21 with families, self-advocates, support groups, and state agencies to further
22 coordinate, develop, and enhance the service delivery system for persons on
23 the autism spectrum across the lifespan;
- 24 (d) Gathering and analyzing research and data to assess the quality and
25 availability of programs and services for persons on the autism spectrum and
26 providing recommendations on assessments, interventions, and treatment
27 modalities across the lifespan;

- 1 (e) Developing recommendations for:
- 2 1. Increasing participation in existing federal, state, and local programs
- 3 that serve children, youth, and adults on the autism spectrum;
- 4 2. Enhancing the current professional development and planning for future
- 5 workforce development to incorporate research and evidence-based
- 6 practices;
- 7 3. Establishing standards of care and undertaking efforts to ensure
- 8 promotion of these standards statewide; and
- 9 4. Promoting the development of services and supports to transition youth
- 10 and adults on the autism spectrum;
- 11 (f) Assessing the capacity and effectiveness of institutes of higher education in
- 12 the state toward supporting the development of the workforce for persons on
- 13 the autism spectrum;
- 14 (g) Requesting and utilizing federal, state, and private funds, including funds
- 15 from philanthropic sources;
- 16 (h) Improving procedures for ensuring accountability and measuring success of
- 17 programs that receive state, federal, and philanthropic funds;
- 18 (i) Obtaining reports and issuing progress updates on state and federally funded
- 19 services that impact the quality of Kentucky's system of care for persons on
- 20 the autism spectrum;
- 21 (j) Completing a biennial report with the Office of Autism and submitting it to
- 22 the Commonwealth Council on Developmental Disabilities, the Governor, and
- 23 the Legislative Research Commission. The first report shall be due on or
- 24 before September 30, 2017, and subsequent reports shall be due each
- 25 September 30 in odd-numbered years thereafter; and
- 26 (k) Other duties and responsibilities as designated by the Governor.

27 **(8) The Advisory Council on Autism Spectrum Disorders shall:**

1 (a) Administer and distribute funds from the autism spectrum disorder trust
2 fund created in Section 1 of this Act;

3 (b) Develop a written plan for the use of funds made available under Section 1
4 of this Act. The initial plan shall be completed on or before October 1, 2026,
5 and shall be updated on an annual basis on or before October 1 of each
6 year thereafter. The plan shall at a minimum include the following:

7 1. A summary of existing autism spectrum disorder research, awareness,
8 treatment, and funding programs provided to individuals in Kentucky;

9 2. A needs assessment for individuals with autism spectrum disorder in
10 Kentucky that identifies additional research funding needs by disorder
11 type and geographic area, with support for why the identified
12 programs are needed; and

13 3. A prioritized list of programs and research projects that the advisory
14 council will address with funding available through the competitive
15 grant program established under subsection (9) of this section; and

16 (c) Provide to the Governor and the Legislative Research Commission an
17 annual report by October 1 of each year. The report shall include:

18 1. The plan developed under this subsection for the use of funds for the
19 current and next fiscal year;

20 2. A summary of the use and impact of prior year funds;

21 3. A summary of the activities of the advisory council during the prior
22 fiscal year; and

23 4. Any recommendations for future initiatives or actions regarding
24 autism spectrum disorder research funding.

25 (9) (a) The cabinet shall promulgate administrative regulations in accordance with
26 KRS Chapter 13A to establish a competitive, open grant program to provide
27 funding to nonprofit entities, academic medical centers, and government

1 agencies offering research funding and services for autism spectrum
2 disorder services to individuals in Kentucky impacted by the disorder.

3 **(b) The grant program shall provide funding to research projects and programs**
4 **in accordance with the priorities established in the plan developed under**
5 **subsection (8) of this section.**

6 **(c) The administrative regulations shall at a minimum:**

7 **1. Establish an application process and requirements;**

8 **2. Set forth program and outcome measurement requirements;**

9 **3. Establish an application review and award process; and**

10 **4. Provide monitoring, oversight, and reporting requirements for funded**
11 **programs.**

12 ➔Section 3. Whereas it is essential that the General Assembly promptly provide
13 access to research and services for autism spectrum disorders in the Commonwealth in
14 order to provide for the health and safety of citizens, an emergency is declared to exist,
15 and this Act takes effect upon its passage and approval by the Governor or upon its
16 otherwise becoming a law.