

1 H.728

2 Introduced by Representatives French of Randolph and Donahue of Northfield

3 Referred to Committee on

4 Date:

5 Subject: Human services; developmental disabilities; system of care

6 Statement of purpose of bill as introduced: This bill proposes to remove the
7 requirement that the Commissioner of Disabilities, Aging, and Independent
8 Living set priorities for developmental services based on available funds. It
9 also identifies certain categories within the system of care plan that must be
10 adopted by rule prior to taking effect.

11 An act relating to developmental services' system of care

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 18 V.S.A. chapter 204A is amended to read:

14 CHAPTER 204A: DEVELOPMENTAL DISABILITIES ACT

15 * * *

16 § 8722. DEFINITIONS

17 As used in this chapter:

18 * * *

1 families, guardians, community resources, organizations, and people who
2 provide services throughout the ~~state~~ State.

3 (2) Develop, ~~and maintain, and monitor~~ an equitably and efficiently
4 allocated statewide system of community-based services that reflect the
5 choices and needs of people with developmental disabilities and their families.

6 (3) Acquire ~~and, administer, and exercise fiscal oversight over~~ funding
7 for ~~these~~ community-based services ~~and identify needed resources and~~
8 ~~legislation, including the management of State contracts.~~

9 (4) Establish a statewide procedure for applying for services.

10 (5) Facilitate or provide pre-service or in-service training and technical
11 assistance to service providers consistent with the system of care plan.

12 (6) ~~Provide quality assessment and quality improvement support for the~~
13 ~~services provided throughout the state. Maintain a statewide system of quality~~
14 assessment and assurance for services provided to people with a developmental
15 disability and provide quality improvement support to ensure that the
16 principles of service in section 8724 of this title are achieved.

17 (7) Encourage the establishment and development of locally
18 administered and locally controlled nonprofit services for people with
19 developmental disabilities based on the specific needs of individuals and their
20 families.

1 (1) priorities for continuation of existing programs or development of
2 new programs;

3 (2) criteria for receiving services or funding; ~~and~~

4 (3) type of services provided; and

5 (4) a process for evaluating and assessing the success of programs.

6 (b) ~~Each plan shall be~~ The Commissioner shall determine plan priorities
7 based upon information obtained from people with developmental disabilities,
8 their families, guardians, and people who provide the services and shall include
9 a comprehensive needs assessment, demographic information about people
10 with developmental disabilities, information about existing services used by
11 individuals and their families, characteristics of unserved and under served
12 individuals and populations and the reasons for these gaps in service, and the
13 varying community needs and resources. ~~The commissioner shall determine~~
14 ~~the priorities of the plan based on funds available to the department.~~

15 (c) No later than 60 days before adopting the plan, the ~~commissioner~~
16 Commissioner shall submit the proposed plan to the ~~advisory board~~ Advisory
17 Board, established in section 8733 of this title, for advice and
18 recommendations, ~~except that the Commissioner shall submit those categories~~
19 within the plan subject to 3 V.S.A. chapter 25 to the Advisory Board at the
20 commencement of the public comment period. The Advisory Board shall

1 provide the Commissioner with written comments on the proposed plan, and, if
2 applicable, may submit public comments pursuant to 3 V.S.A. chapter 25.

3 (d) The Commissioner may make annual revisions to the plan as deemed
4 necessary in accordance with the process set forth in this section. The
5 Commissioner shall submit the proposed revisions to the Advisory Board
6 established in section 8733 of this title for comment within the timeframe
7 established by subsection (c) of this section.

8 (e) ~~The department~~ Notwithstanding 2 V.S.A. § 20(d), on or before
9 January 15 of each year, the Department shall report annually to the governor
10 Governor and the general assembly committees of jurisdiction regarding
11 implementation of the plan and shall make annual revisions as needed, the
12 extent to which the principles of service set forth in section 8724 of this title
13 are achieved, and whether people with a developmental disability have any
14 unmet service needs, including the number of people on waiting lists for
15 developmental services.

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17 Sec. 2. EFFECTIVE DATE

18 This act shall take effect on July 1, 2014.