

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: HB 740

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Yost, Joseph R.

3. Committee: Health, Welfare and Institutions

4. Title: Federal Rehabilitation Act and Older Americans Act; amends certain language in Code

5. Summary: The proposed legislation amends certain language in the Code of Virginia to conform to the federal Rehabilitation Act and Older Americans Act. The bill includes several transfers of powers and duties, including (i) the transfer from an entity designated by the Department for Aging and Rehabilitative Services (DARS) to the Office of the State Long-Term Care Ombudsman (the Office) the authority to access clients, patients, individuals, facilities, and records in certain circumstances and (ii) the transfer from the Commissioner for Aging and Rehabilitative Services to the Office the duty to release information concerning completed investigations of complaints made under the programs of the Office. The bill also directs DARS to put in place mechanisms to prohibit and investigate allegations of interference, retaliation, and reprisals by long-term care facilities, other entities, or individuals with respect to any resident, employee, or other person for filing a complaint with, or providing information to, the Office. The bill adds to the services to be provided through grants or contracts with centers for independent living to include services that (i) facilitate the transition of individuals with significant disabilities from nursing homes and other institutions to home and community-based residences, (ii) provide assistance to individuals with significant disabilities who are at risk of entering institutions so that the individuals may remain in the community, and (iii) facilitate the transition of youth with significant disabilities, who were eligible for individualized education programs under the Individuals with Disabilities Education Act or who have completed their secondary education, to post-secondary life. The bill also requires that individualized plans for employment for recipients of vocational rehabilitation services provided or funded by DARS be developed as soon as possible, but not later than 90 days after the due date of the determination of eligibility. The bill also repeals a section of the Code of Virginia that listed certain services employers may provide through projects with DARS designed to provide vocational rehabilitation in realistic employment settings and to provide on-the-job training for persons with disabilities.

6. Budget Amendment Necessary: No

7. No Fiscal Impact

8. Fiscal Implications: None

9. Specific Agency or Political Subdivisions Affected:
Department for Aging and Rehabilitative Services

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 1/15/16