

# VIRGINIA ACTS OF ASSEMBLY -- 1995 SESSION

## CHAPTER 34

*An Act to amend and reenact § 51.5-33 of the Code of Virginia and to repeal § 51.5-34 of the Code of Virginia, relating to powers and duties of the Virginia Board for People with Disabilities.*

[H 1881]

Approved February 23, 1995

**Be it enacted by the General Assembly of Virginia:**

**1. That § 51.5-33 of the Code of Virginia is amended and reenacted as follows:**

§ 51.5-33. Powers and duties.

The Board shall have the following powers and duties:

1. To advise the Secretary of Health and Human Resources and Governor on issues and problems of interest to persons with disabilities and on such other matters as either the Secretary or the Governor may request;

2. To submit biennially to the Governor, through the Secretary of Health and Human Resources, an assessment of the needs of persons with disabilities in the Commonwealth, the success in the preceding biennium of the state agencies in meeting those needs, programmatic and fiscal recommendations for improving the delivery of services to persons with disabilities, and an assessment of the biennial economic cost and benefit to the Commonwealth of the services and rights afforded persons with disabilities as established in this title;

3. To initiate the development of the plan of cooperation required by § 51.5-2;

4. To serve as the State Planning Council for the administration of certain federal public health and welfare laws as provided in § 6000 of Title 42 of the United States Code;

5. To perform all duties and exercise all powers designated by federal law for such state planning councils, including the responsibility for planning activities on behalf of all developmentally disabled persons in the Commonwealth; *for receiving, accounting for and disbursing federal funds;* for developing and approving the state plan; and for monitoring and evaluating the implementation of such plan for the provision of services and facilities for persons with developmental disabilities;

6. To be responsible for obtaining information and data from within the Commonwealth, and from time to time, but not less than annually, to review and evaluate the state plan and submit such state plan, and revisions thereto, to the Governor and to the *U.S.* Secretary of Health and Human Services;

7. To appoint and supervise the Director of the Board and prescribe his duties;

8. To hire such staff and obtain the service of such professional, technical, and clerical personnel necessary to carry out its powers and duties; and

9. To accept gifts and grants on behalf of the Commonwealth, in furtherance of the purpose of this Board.

**2. That § 51.5-34 of the Code of Virginia is repealed.**