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HOUSE BILL NO. 415

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health, Welfare and Institutions
on January 25, 2000)

(Patron Prior to Substitute—Delegate Tate)

*A BILL to amend and reenact §§ 51.5-47 and 51.5-48 of the Code of Virginia, relating to persons with disabilities.***Be it enacted by the General Assembly of Virginia:****1. That §§ 51.5-47 and 51.5-48 of the Code of Virginia are amended and reenacted as follows:**

§ 51.5-47. Local boards; appointment; membership and staff.

A. Every county and city shall establish, either singly or in combination with another political subdivision, a local disability services board by November 1, 1992, to provide input to state agencies on service needs and priorities of persons with physical and sensory disabilities, to provide information and resource referral to local governments regarding the Americans with Disabilities Act, and to provide such other assistance and advice to local governments as may be requested. Guidelines for the establishment of local disability services boards shall be developed by the Disability Services Council. As used in this chapter, the term "board" means a local disability services board. The board shall be responsible to the governing body or bodies of the county or city or combination thereof which established the board.

B. The local governing bodies of the jurisdictions participating in the board shall determine the number of members on the board and appoint the members. The membership of a board shall not exceed fifteen. Membership shall include at least one local official from each of the participating jurisdictions, two representatives of the business community, and consumers. Each board shall have no less than thirty percent representation by individuals or family members of individuals with physical, visual, or hearing disabilities.

C. Where a local board or commission for the physically and sensory disabled appointed by a local governing body is already in existence, the local governing body may designate such board or commission as the local disability services board. In order to be designated as the local disability services board, the existing board or commission shall meet the membership representation requirements designated in subsection B.

D. ~~Staff support to the boards shall be provided by the~~ The Department of Rehabilitative Services shall administer the funds appropriated for local disability services boards, including staff support to the boards and, with appropriate consultation from the Department for the Visually Handicapped and the Department for the Deaf and Hard-of-Hearing and other agencies, provide guidance and technical assistance to the local boards. Localities may provide supplemental additional staff support to the boards.

E. Localities shall not be mandated to fund any recommendations made by the local board.

§ 51.5-48. Duties and responsibilities of local disability services boards.

The boards shall:

1. Assess the local service needs and advise the appropriate state and local agencies serving persons with physical and sensory disabilities of their findings;

2. Develop and make available for public comment a report with a six-year projection of local service needs and priorities for persons with physical and sensory disabilities in accordance with state guidelines. The report and updates to the report shall be submitted to the Disability Services Council. The first report shall be submitted by June 1, 1993. The reports shall be reviewed by the Council and shall be distributed to the appropriate state agencies and incorporated into the agencies' programmatic and fiscal planning for services to persons with physical and sensory disabilities;

3. Obtain input from local public and private service providers and utilize such information in the development of the report;

4. Review and update the report ~~biennially~~ every three years;

5. Serve as a catalyst for the development of public and private funding sources;

6. Develop requests to the rehabilitative services incentive fund when local funding for match is identified;

7. Administer the incentive funds, if received, through the designated fiscal agent in accordance with the approved expenditure plan; and

8. Exchange information with other local boards regarding services to persons with physical and sensory disabilities and best practices in the delivery of services.