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HOUSE BILL NO. 2265

Offered January 12, 2011

Prefiled January 12, 2011

A BILL to amend and reenact §§ 51.5-47 and 51.5-48 of the Code of Virginia, relating to local disability services boards.

Patron—Morgan

Referred to Committee on Health, Welfare and Institutions

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 information and resource referral to local governments regarding federal and state mandated programs such as the Americans with Disabilities Act, to provide such other assistance and advice to local governments as may be requested, to better address the unmet and underserved needs of individuals with disabilities, and 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~~ sensory disabilities.

C. Where a local board or commission ~~for the physically and sensory disabled~~ appointed by a local governing body ~~for individuals with physical and sensory disabilities~~ 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. 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 Blind and Vision Impaired 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 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. *Be a clearinghouse for resources and information about the barriers facing people with disabilities to local governments;*

2. *Facilitate the collaboration and exchange of information with other local service providers regarding services to persons with physical and sensory disabilities and best practices in the delivery of services;*

3. *Facilitate communication with state and federal agencies regarding local mandates related to fulfilling the needs of those with physical and sensory disabilities;*

4. *Provide input to local governments during local and regional planning processes including housing, transportation, employment and service delivery to ensure that the barriers facing people with physical and sensory disabilities are considered and addressed;*

5. *Assess the local service needs barriers through consumer, community, public and private input and advise the appropriate state and local agencies serving persons with physical and sensory disabilities of their findings;*

26. *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*

59 guidelines. The report and updates to the report shall be submitted to the Disability Services Council.
60 The first report shall be submitted by June 1, 1993. The reports shall be reviewed by the Council and
61 shall be distributed to the appropriate state agencies and incorporated into the agencies' programmatic
62 and fiscal planning for services to persons with physical and sensory disabilities;
63 3. Obtain input from local public and private service providers and utilize such information in the
64 development of the report;
65 47. Review and update the report every three years;
66 58. ~~Serve as a catalyst for~~ *Develop or participate in coalitions and partnerships to address identified*
67 *barriers and encourage the development of public and private sector funding sources to overcome them;*
68 69. ~~Develop and prioritize requests to the rehabilitative services incentive fund~~ *state Rehabilitative*
69 *Services Incentive Fund* when local funding for match is identified; and
70 710. Administer the incentive funds, if received, through the designated fiscal agent in accordance
71 with the approved expenditure plan; and
72 8. ~~Exchange information with other local boards regarding services to persons with physical and~~
73 ~~sensory disabilities and best practices in the delivery of services.~~