

# VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

## CHAPTER 190

*An Act to amend and reenact § 51.5-31 of the Code of Virginia, relating to Virginia Board for People with Disabilities; membership; terminology updates.*

[H 2492]

Approved March 22, 2023

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

**1. That § 51.5-31 of the Code of Virginia is amended and reenacted as follows:**

**§ 51.5-31. Board created.**

There shall be a Virginia Board for People with Disabilities, responsible to the Secretary of Health and Human Resources. The Board shall be composed of ~~39~~ 40 members, to include the head or a person designated by the head of the Department for Aging and Rehabilitative Services, Department for the Deaf and Hard-of-Hearing, Department of Education, Department of Medical Assistance Services, Department of Behavioral Health and Developmental Services, *Department of Health*, and ~~the~~ Department for the Blind and Vision Impaired; one representative of the protection and advocacy entity; one representative of the university center for excellence in developmental disabilities; one representative each, to be appointed by the Governor, of a local governmental agency, a manufacturing or a retailing industry, a high-technology industry, a public transit interest, and a nongovernmental agency or group of agencies concerned with services for persons with developmental disabilities; a banking executive; one person with disabilities other than developmental disabilities; and 24 persons with developmental disabilities, parents or guardians of children with developmental disabilities, or immediate relatives or guardians of adults with ~~mentally impairing~~ *cognitive* developmental disabilities who cannot advocate for themselves. Of the last 24 persons, one-third shall be persons with developmental disabilities; one-third shall be a combination of (i) parents or guardians of children with developmental disabilities and (ii) immediate relatives or guardians of adults with ~~mentally impairing~~ *cognitive* developmental disabilities who cannot advocate for themselves; and one-third shall be a combination of (a) persons with developmental disabilities, (b) parents or guardians of children with developmental disabilities, and (c) immediate relatives or guardians of adults with ~~mentally impairing~~ *cognitive* developmental disabilities who cannot advocate for themselves. At least one person shall be either (1) an immediate relative or guardian of a person who resides in or previously resided in an institution or (2) a person with a developmental disability who previously resided in an institution. Such persons shall not be employees of the Virginia Board for People with Disabilities or "managing employees," as defined by the Social Security Act (42 U.S.C. § 1320a-5), of any other entity that receives funds or provides services under Subtitle B of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (P.L. 106-402).

Each member appointed by the Governor shall be appointed for a four-year term. Members so appointed shall be subject to removal at the pleasure of the Governor. Any vacancy other than by expiration of a term shall be filled for the unexpired term. No person appointed by the Governor shall serve for more than two successive terms.

The Board shall elect its chairman.