

By: Representatives Evans, Scott (80th)

To: Public Health and Welfare; Appropriations

HOUSE BILL NO. 929
(As Sent to Governor)

1 AN ACT TO PROVIDE FOR THE DEVELOPMENT OF A PROPOSED
2 COMPREHENSIVE STATE PLAN FOR THE PROVISION OF SERVICES TO PERSONS
3 WITH DISABILITIES IN THE STATE OF MISSISSIPPI IN THE MOST
4 INTEGRATED SETTING APPROPRIATE; TO PROVIDE ISSUES FOR
5 CONSIDERATION IN THE DEVELOPMENT OF THE PROPOSED PLAN; TO PROVIDE
6 PRINCIPLES FOR CONSIDERATION IN THE DEVELOPMENT OF THE PROPOSED
7 PLAN; AND FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 SECTION 1. The State of Mississippi is committed to
10 providing options to persons with disabilities and families that
11 include members who are persons with disabilities for services to
12 be provided in the most integrated setting appropriate. The State
13 of Mississippi is further committed to developing a comprehensive
14 plan to address needs, service options, opportunities and service
15 settings appropriate for persons with disabilities and families
16 that include members who are persons with disabilities so that
17 they may participate in community life to the greatest extent that
18 is possible and that they desire.

19 SECTION 2. The following state agencies shall organize a
20 statewide work group to develop a proposed plan: the Department
21 of Mental Health, the State Department of Rehabilitation Services,
22 the Department of Human Services, the State Department of
23 Education, the State Department of Health and the Division of
24 Medicaid. The lead agency shall be the Division of Medicaid. The
25 statewide work group shall include any other state agencies that
26 are responsible for providing services to persons with
27 disabilities or to families that include members who are persons
28 with disabilities and any advocacy groups, consumer groups,

29 consumers, providers, provider groups, associations and any other
30 persons, organizations or entities interested in the mission of
31 the work group. The work group shall seek input from the public,
32 particularly from persons with disabilities and families that
33 include members who are persons with disabilities. The statewide
34 work group shall submit a recommendation for the proposed plan to
35 the Legislature no later than September 30, 2001.

36 SECTION 3. In developing the proposed plan, the following
37 issues shall be considered:

38 (a) Expansion of home and community-based services;

39 (b) Prevention of premature or inappropriate
40 out-of-home placement;

41 (c) Development of support services and networks,
42 including, but not limited to:

43 (i) Communication services;

44 (ii) Counseling services;

45 (iii) Crisis intervention;

46 (iv) Day care;

47 (v) Dental and medical care that are not otherwise
48 covered;

49 (vi) Equipment and supplies and other assistive
50 technology;

51 (vii) Financial assistance;

52 (viii) Home and vehicle modifications;

53 (ix) Home health services;

54 (x) Homemaker services;

55 (xi) Parent education and training;

56 (xii) Personal assistance services;

57 (xiii) Recreation;

58 (xiv) Respite care;

59 (xv) Self-advocacy training;

60 (xvi) Service coordination;

61 (xvii) Specialized diagnosis and evaluation;

- 62 (xviii) Specialized nutrition and clothing;
- 63 (xix) Specified utility costs;
- 64 (xx) Therapeutic and nursing services;
- 65 (xxi) Transportation;
- 66 (xxii) Vocational and employment supports;
- 67 (xxiii) Alternative living arrangements, such as
- 68 group homes and supervised and supported living programs;
- 69 (xxiv) Housing;

70 (d) Appropriate maintenance of institutional services
71 for those persons with disabilities who desire or need them.

72 The proposed plan shall consider any other issues pertinent
73 to the goal of the plan in addition to the issues listed in this
74 section.

75 SECTION 4. The following principles shall be considered in
76 the development of the proposed plan:

77 (a) Individuals with disabilities and their families
78 are best able to determine their own needs and should be empowered
79 to make decisions concerning necessary, desirable and appropriate
80 services.

81 (b) Individuals with disabilities should receive the
82 support necessary for them to live as independently as possible at
83 home, if recommended by their treatment team and if they choose.

84 (c) Family support should be responsive to the needs of
85 the entire family unit.

86 (d) Supports should be sensitive to the unique needs
87 and strengths of individuals and families.

88 (e) Supports should build on existing social networks
89 and natural sources of support.

90 (f) Supports will usually be needed throughout the life
91 span of the individual who has a disability.

92 (g) Supports should encourage the integration of people
93 with disabilities into the community as much as possible and when

94 recommended by their treatment team and if the consumer prefers
95 that integration.

96 (h) Support services should be flexible enough to
97 accommodate unique needs of individuals and families as they
98 evolve over time.

99 (i) Support services should be consistent with the
100 cultural preferences and orientations of individuals and families.

101 (j) Support services should be comprehensive and
102 coordinated across the agencies that provide resources and
103 services, or both, to individuals and families.

104 (k) Individual and family home-based support services
105 should be based on the principles for sharing ordinary places,
106 developing meaningful relationships, learning things that are
107 useful and making choices, as well as increasing the self-esteem
108 and status, and enhancing the reputation of the individuals
109 served.

110 (l) Supports should be developed and expanded in the
111 state that are necessary, desirable and appropriate to support
112 individuals and families.

113 (m) Supports and services should enhance the
114 development of the individual with a disability and the family.

115 (n) A comprehensive, coordinated system of supports to
116 families effectively uses existing resources and minimizes gaps in
117 supports to families and individuals in all areas of the state.

118 (o) Services should be coordinated with other services.

119 (p) No individual who wishes to remain in, or requests
120 services in, an institutional setting will be forced to receive
121 support services in a noninstitutional or home-based setting,
122 including any individual whose professional team determines that
123 an institutional setting is the most integrated and appropriate
124 setting.

125 SECTION 5. (1) The proposed plan shall provide the
126 following:

127 (a) An estimate of the number of persons with
128 disabilities in the State of Mississippi who need services or will
129 need services;

130 (b) An estimate of the amount of appropriations
131 necessary over the course of the proposed schedule to accomplish
132 the proposed plan;

133 (c) A proposal for funding the proposed plan.

134 (2) It shall be the goal of the proposed plan that, not
135 later than June 30, 2011, the State of Mississippi will have
136 available community services for all persons with disabilities
137 where their professional teams recommend those services and the
138 persons request those services.

139 SECTION 6. Sections 1 through 6 of this act shall stand
140 repealed on July 1, 2003.

141 SECTION 7. This act shall take effect and be in force from
142 and after its passage.