HOUSE BILL NO. 775

AN ACT TO REENACT SECTIONS 43-57-1 THROUGH 43-57-9, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE DEVELOPMENT OF A COMPREHENSIVE PLAN FOR PROVIDING SERVICES TO DISABLED PERSONS; TO AMEND SECTION 43-57-11, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE REENACTED SECTIONS FOR ONE YEAR; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 43-57-1, Mississippi Code of 1972, is reenacted as follows:

43-57-1. The State of Mississippi is committed to providing options to persons with disabilities and families that include members who are persons with disabilities for services to be provided in the most integrated setting appropriate. The State of Mississippi is further committed to developing a comprehensive plan to address needs, service options, opportunities and service settings appropriate for persons with disabilities and families that include members who are persons with disabilities so that they may participate in community life to the greatest extent that is possible and that they desire.

SECTION 2. Section 43-57-3, Mississippi Code of 1972, is reenacted as follows:

43-57-3. The following state agencies shall organize a statewide work group to develop a proposed plan: the Department of Mental Health, the State Department of Rehabilitation Services, the Department of Human Services, the State Department of Education, the State Department of Health and the Division of Medicaid. The lead agency shall be the Division of Medicaid. The statewide work group shall include any other state agencies that are responsible for providing services to persons with disabilities and families that include members who are persons with disabilities.
disabilities or to families that include members who are persons with disabilities and any advocacy groups, consumer groups, consumers, providers, provider groups, associations and any other persons, organizations or entities interested in the mission of the work group. The work group shall seek input from the public, particularly from persons with disabilities and families that include members who are persons with disabilities. The statewide work group shall submit a recommendation for the proposed plan to the Legislature no later than September 30, 2001.

SECTION 3. Section 43-57-5, Mississippi Code of 1972, is reenacted as follows:

43-57-5. In developing the proposed plan, the following issues shall be considered:

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

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

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

(i) Communication services;

(ii) Counseling services;

(iii) Crisis intervention;

(iv) Day care;

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

(vi) Equipment and supplies and other assistive technology;

(vii) Financial assistance;

(viii) Home and vehicle modifications;

(ix) Home health services;

(x) Homemaker services;

(xi) Parent education and training;

(xii) Personal assistance services;

(xiii) Recreation;
(xiv) Respite care;
(xv) Self-advocacy training;
(xvi) Service coordination;
(xvii) Specialized diagnosis and evaluation;
(xviii) Specialized nutrition and clothing;
(xix) Specified utility costs;
(xx) Therapeutic and nursing services;
(xi) Transportation;
(xxi) Vocational and employment supports;
(xxii) Alternative living arrangements, such as group homes and supervised and supported living programs;
(xxiii) Housing;
(d) Appropriate maintenance of institutional services for those persons with disabilities who desire or need them.

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

SECTION 4. Section 43-57-7, Mississippi Code of 1972, is reenacted as follows:

43-57-7. The following principles shall be considered in the development of the proposed plan:

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

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

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

(d) Supports should be sensitive to the unique needs and strengths of individuals and families.
(e) Supports should build on existing social networks and natural sources of support.

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

(g) Supports should encourage the integration of people with disabilities into the community as much as possible and when recommended by their treatment team and if the consumer prefers that integration.

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

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

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

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

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

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

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

(o) Services should be coordinated with other services.

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

SECTION 5. Section 43-57-9, Mississippi Code of 1972, is reenacted as follows:

43-57-9. (1) The proposed plan shall provide the following:

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

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

(c) A proposal for funding the proposed plan.

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

SECTION 6. Section 43-57-11, Mississippi Code of 1972, is amended as follows:


SECTION 7. This act shall take effect and be in force from and after July 1, 2003.