

SB 105 -1, -2 STAFF MEASURE SUMMARY

Senate Committee On Human Services

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Meeting Dates: 3/15, 3/29

WHAT THE MEASURE DOES:

Requires the Department of Human Services to study delivery of developmental disability services statewide and report to the Legislative Assembly by September 15, 2024.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 **Replaces the measure.** Defines ‘agency with choice services’. Directs the Department of Human Services (DHS) to contract with one or more organizations to deliver agency with choice services. Specifies duties of and requirements for organizations contracting with DHS. Prohibits DHS to contract with an organization if the owner of or an executive officer of the organization has been convicted of Medicaid fraud in any state within the 25-year period prior to entering into the contract. Directs DHS to establish application fees for organizations to be certified or recertified to provide community-based services to individuals with intellectual or developmental disabilities. Directs organizations to report to DHS annually by April 15, specifies reporting requirements. Directs DHS to establish criteria for prohibiting a provider to apply for a license; revoke, suspend, or place a condition on the certification of a provider; determine the appropriate sanction for failure to comply with employment and wage laws; criminal background checks; and requirements for providing training for direct care workers. Permits nonprofit organizations to submit their Internal Revenue Form 990 to satisfy reporting requirements. Directs DHS to issue requests for proposals for up to two contracts with organizations to deliver agency with choice services by December 31, 2024.

-2 **Replaces the measure.** Adds the restraint or seclusion and the infliction of corporal punishment of an adult with a developmental disability to the definition of abuse, when in violation of existing laws.

BACKGROUND:

For children, a Services Coordinator writes a plan to meet a child’s assessed needs. Services that may be available to children following an assessment include relief care for family caregivers; training to help parents/guardians meet the child’s needs; help with everyday activities like preparing meals, bathing, or feeding; changing to make homes more accessible; help with behavior challenges; and some technological supports. Another resource are family-to-family networks. Adults may receive services in their home, family home, a group home, or foster home. Services that may be available based on an adult’s needs are support with everyday activities like bathing, dressing, shopping, making meals, managing money; help with behavior and communication challenges; supports in the community; and employment supports. Supports for Adults with [Intellectual and Developmental Disabilities \(I/DD\)](#) are available for a wide range of needs, from individuals that live in their own home or with family or friends to individuals that need up to 24-hour comprehensive services. [The Office of Developmental Disability Services offers services](#) that can be accessed through local Community Developmental Disabilities Programs or Support Services Brokerages. The Department of Human Services (DHS) establishes an Individual Support Plan with each individual to identify supports provided based upon their health and safety needs, interests, choices, and goals.

Senate Bill 105 requires the Department of Human Services to study delivery of developmental disability services statewide and report to the Legislative Assembly by September 15, 2024.