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Developmental Disabilities Program

The Department of Health and Human Services proposes a rule to clarify current requirements, as well as set forth new requirements to implement the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (the "Act"). This proposed rule addresses responsibilities of the Secretary of Health and Human Services concerning program accountability and indicators of progress requirements. One or more measures of progress must be used to measure the goal(s) developed for each area of emphasis. The areas of emphasis include: 1) quality assurance activities; 2) education activities and early intervention activities; 3) child care-related activities; 4) health-related activities; 5) employment-related activities; 6) housing-related activities; 7) transportation-related activities; 8) recreation-related activities; and 9) other services available or offered to individuals in a community, including formal and informal community supports that affect their quality of life.

In addition, the Act requires State Councils to set aside 70% of the Federal funds received for these activities, as opposed to 65%. It also increases to 60% the level of representation by individuals with developmental disabilities required on Councils.

Other key proposed provisions of the Act include changes to the definitions section, including the definitions of abuse, complaint and service provider; changes regarding access to records, facilities and individuals with developmental disabilities; and initiating 5 year plan and accompanying reporting requirements for a National Network of University Centers for Excellence in Developmental Disabilities Education, Research, and Service ("UCEDDs").

For more information please contact Popovits & Robinson at 708/479-3230.

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