

IC 2-5-27.2

Chapter 27.2. Commission on Developmental Disabilities

IC 2-5-27.2-1

"Commission"

Sec. 1. As used in this chapter, "commission" refers to the commission on developmental disabilities established under section 2 of this chapter.

As added by P.L.190-2002, SEC.1. Amended by P.L.3-2009, SEC.1.

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Commission established

Sec. 2. There is established the commission on developmental disabilities as a legislative study committee.

As added by P.L.190-2002, SEC.1. Amended by P.L.3-2009, SEC.2.

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Membership; term; vacancies

Sec. 3. (a) The commission consists of the following members:

(1) Two (2) members of the house of representatives appointed by the speaker of the house of representatives. The members appointed under this subdivision may not be members of the same political party.

(2) Two (2) members of the senate appointed by the president pro tempore of the senate. The members appointed under this subdivision may not be members of the same political party.

(3) The following members appointed by the governor:

(A) Three (3) members at large.

(B) One (1) member who is a consumer of developmental disability services.

(C) One (1) member who is a representative of advocacy groups for consumers of developmental disability services.

(D) Two (2) members who are representatives of families of consumers of developmental disability services.

(E) One (1) member who is a representative of an organization providing services to individuals with developmental disabilities.

(b) The term of a commission member appointed under subsection (a)(3) is three (3) years.

(c) The governor shall fill a vacancy of a member under subsection (a)(3) within ten (10) days after the vacancy occurs.

(d) If:

(1) the term of a member appointed under subsection (a)(3) expires;

(2) the member is not reappointed; and

(3) a successor is not appointed;

the term of the member continues until a successor is appointed.

As added by P.L.190-2002, SEC.1. Amended by P.L.3-2009, SEC.3.

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Duties of commission

Sec. 4. The commission shall do the following:

- (1) Develop a long range plan to stimulate further development of cost effective, innovative models of community based services, including recommendations that identify implementation schedules, plans for resource development, and appropriate regulatory changes.
- (2) Review and make recommendations regarding any unmet needs for developmental disability services, including the following:
 - (A) Community residential and family support services.
 - (B) Services for aging families caring for their children and adults with a developmental disability.
 - (C) Services for families in emergency or crisis situations.
 - (D) Services needed to move children and adults from nursing homes and state hospitals to the community.
- (3) Study and make recommendations for the state to use state employees or contract with a private entity to manage and implement home and community based services waivers under 42 U.S.C. 1396n(c).
- (4) Study and make recommendations regarding state funding needed to provide supplemental room and board costs for individuals who otherwise qualify for residential services under the home and community based services waivers.
- (5) Monitor and recommend changes for improvements in the implementation of home and community based services waivers managed by the state or by a private entity.
- (6) Review and make recommendations regarding the implementation of the comprehensive plan prepared by the developmental disabilities task force established by P.L.245-1997, SECTION 1.
- (7) Review and make recommendations regarding the development by the division of disability and rehabilitative services of a statewide plan to address quality assurance in community based services.
- (8) Annually review the infants and toddlers with disabilities program established under IC 12-12.7-2.

As added by P.L.190-2002, SEC.1. Amended by P.L.93-2006, SEC.1; P.L.141-2006, SEC.2; P.L.99-2007, SEC.3; P.L.3-2009, SEC.4.

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Operating under policies governing study committees

Sec. 5. The commission shall operate under the policies governing study committees adopted by the legislative council.

As added by P.L.190-2002, SEC.1.

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Voting requirements

Sec. 6. The affirmative votes of a majority of the members appointed to the commission are required for the commission to take

action on any measure, including final reports.
As added by P.L.190-2002, SEC.1.