

DRAFT - List of Recommendations (Approved & Pending) - DRAFT

The following recommendations have been approved by the Disability Commission or are before the Disability Commission pending decision upon receipt of additional information as requested at the August 17, 2011 meeting of the Disability Commission. Recommendations requiring legislation will be entered into the Division of Legislative Services' bill drafting system and drafts will be prepared in advance of the September Disability Commission meeting. Letters to the Governor stating the Disability Commission's recommendations and including information related to the recommendation will be prepared next week, drafts will be sent to all Commission members for review and feedback, and final drafts will be mailed no later than the week of September 5.

WORK GROUP #1 - Housing and TransportationADOPTED RECOMMENDATIONS

- 1. The Disability Commission should support legislation to establish the Disability Commission's work groups in statute. The new language should specifically require work groups focused on Housing and Transportation, Education and Employment, and Publicly Funded Services, as well as other work groups as may be needed, and should require the work groups to solicit input from stakeholders regarding problems and potential solutions. The work group noted that this would provide a "home" for specific topics related to services for persons with physical and sensory disabilities.**
- 2. The Disability Commission should introduce and support legislation increasing the amount available for tax credits under the Livable Home Tax Credit for housing that is directly accessible to a transportation system that would meet the transportation needs of individuals with physical and sensory disabilities. This change would clearly link housing and transportation for individuals with physical and sensory disabilities.**

PENDING RECOMMENDATIONS

Currently there are no pending recommendations from Work Group #1.

WORK GROUP #2 - Education and EmploymentADOPTED RECOMMENDATIONS

- 1. The Disability Commission should request that legislation should be prepared to authorize local school divisions to transfer assistive technology that has been customized for students with disabilities to those students, their families, or other school divisions when the student graduates, ages out of public education, or transfers to another school division. The legislation should be modeled on the Texas assistive technology transfer statute.**

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- 2. The Disability Commission should support inclusion of language in the appropriation act making an additional \$10.1 million available to the Department of Rehabilitative Services to ensure that the Department is able to meet federal matching requirements for the vocational rehabilitation program, eliminating the current waiting list for services. If the Governor does not include funding for the Department of Rehabilitative Services to meet federal matching requirements for the vocational rehabilitation program, the Disability Commission should request an amendment to the appropriation act to make such funding available to the Department.**

PENDING RECOMMENDATIONS

- 3. Legislation amending the *Code of Virginia* to include special education teachers for students who are blind or vision impaired in the Standards of Quality and to establish caseload standards for such teachers, and language in the appropriation act to eliminate funding to the Department for the Blind and Vision Impaired to pay for special education teachers for students who are blind or vision impaired and to provide funding to the Department of Education to pay such teachers.**

Work Group #2 will make a final decision regarding this recommendation at its next meeting, following receipt of information related to the expected financial situation of the Commonwealth and the potential fiscal impact of including special education teachers for students who are blind or vision impaired in the Standards of Quality funding structure including the potential fiscal impact on local school divisions of such a change.

WORK GROUP #3 - Publicly Funded ServicesADOPTED RECOMMENDATIONS

- 1. The Disability Commission should support inclusion of language in the appropriation act providing funding to the Virginia Office for Protection and Advocacy (approximately \$200,000 to \$250,000) to add 2.5 FTEs for the Office's ombudsman program established pursuant to § 51.5-39.7 of the *Code of Virginia*. Such language should make clear that the Virginia Office for Protection and Advocacy must provide ombudsman services to the extent allowed by available funding, but that once appropriated resources have been exhausted, the Office is not obligated to operate the ombudsman service. The language should also include a requirement that the Office collect information about the number and type of cases handled, and the sufficiency or insufficiency of funding appropriated to meet the need for services.**

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- 2. The Disability Commission should support inclusion of language in the appropriation act providing funding to reestablish the Consumer Services Fund, the fund of last resort for people with disabilities in need of financial assistance with securing assistive technology and related services.**

PENDING RECOMMENDATIONS

- 3. The Disability Commission should request legislation directing the Department of Medical Assistance Services to complete the process necessary to request approval for a Brain Injury Medicaid Services Waiver.**

The Disability Commission will request information on the status of the Department of Medical Assistance Services' application for approval of a brain injury services Medicaid waiver, to be presented at its next meeting and will make a final decision regarding potential legislation directing the Department of Medical Assistance Services to complete the application process if necessary at that time.

- 4. The Disability Commission should support inclusion of language in the appropriation act providing funding to stabilize brain injury core services, to ensure ongoing service provision.**

Work Group #3 will receive information regarding the amount of funding necessary to stabilize brain injury core services at its next meeting, and will finalize a recommendation on this issue at that time.

- 5. The Disability Commission should support inclusion of language in the appropriation act providing funding to expand brain injury core services to include community support and residential services.**

Work Group #3 will receive information regarding the level of funding necessary to expand brain injury core services to include community support and residential services at its next meeting, and will finalize a recommendation on this issue at that time.

- 6. The Disability Commission should support inclusion of language in the appropriation act providing funding to restore funding to and eliminate waiting lists for services provided by the Department of Rehabilitative Services including (i) community rehabilitation case management services, (ii) personal assistance services program, and (iii) services provided by the brain injury service coordination unit.**

Work Group #3 will receive information regarding the amount of funding necessary to restore funding to and eliminate waiting lists for these services provided by the Department of Rehabilitative Services at its next meeting, and will finalize a recommendation on this issue at that time.

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- 7. The Disability Commission should support inclusion of language in the appropriation act providing funding to restore funding for independent living services provided by centers for independent Living.**

Work Group #3 will receive information regarding the amount of funding necessary to restore funding for independent living services provided by Centers for Independent Living at its next meeting, and will finalize a recommendation on this issue at that time.

- 8. The Disability Commission should support inclusion of language in the appropriation act providing funding to maintain two existing satellite centers for independent living offices in Loudoun County and the Middle Peninsula.**

Work Group #3 will review information regarding the amount of funding necessary to maintain two existing satellite Centers for Independent Living offices in Loudoun County and the Middle Peninsula at its next meeting, and will finalize a recommendation on this issue at that time.

- 9. The Disability Commission should support inclusion of language in the appropriation act providing funding to establish two new centers for independent living in Petersburg and the New River Valley.**

Work Group #3 will receive information regarding the amount of funding necessary to establish two new Centers for Independent Living in Petersburg and the New River Valley at its next meeting, and will finalize a recommendation on this issue at that time.