

# **Virginia Disability Commission**

## **Executive Summary – 2005**

### **Background**

The Disability Commission, initially created by legislative resolution, was codified as a legislative commission during the 2004 session.<sup>1</sup> The Commission's purpose is "to identify and recommend legislative priorities and policies for adoption or examination by the General Assembly in order to provide ongoing support in developing and reviewing services and funding related to Virginians with physical and sensory disabilities."<sup>2</sup>

### **Membership**

The Commission is composed of six members of the General Assembly, five citizen members, and the Lieutenant Governor. The members of the Commission are: Lieutenant Governor Timothy M. Kaine, Chairman; Delegate Michele B. McQuigg, Vice-Chairman; Senator Yvonne B. Miller; Senator Linda T. Puller; Delegate Robert D. Orrock, Sr.; Delegate Gary A. Reese; Delegate Marian Van Landingham; Mr. Bev Fleming; Mr. William F. Howell; Thomas Mosca, III, Ph.D.; Fred P. Orelove, Ph.D.; and Mr. C.W. Van Valkenburgh.

### **Meetings**

The Commission met four times during the 2005 interim: July 8, 2005; September 21, 2005; November 16, 2005; and January 9, 2006. Meeting summaries are available on the Commission's website at <http://dls.state.va.us/disability.htm>. In addition to the meetings of the Commission, the Commission's housing work group, chaired by Denise Goode, met four times during the year: May 11, 2005; June 20, 2005; October 5, 2005; and November 2, 2005. Information on those meetings, and the composition of the workgroup, is also available on the website.

During the 2005 interim, the Commission received information on many topics, including transportation, housing, employment, and personal assistance services. It received a report concerning the Olmstead Initiative, as well as a recently completed study by the Joint Legislative Audit and Review Commission on Reimbursement Rates for Home and Community Based Services. In addition, the Commission was briefed on the status of programs it had previously endorsed, including the Medicaid Buy-In Waiver and the Brain Injury Waiver.

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<sup>1</sup> 2004 Acts of Assembly, cc. 992, 1015; Chapter 35, Title 30 of the Code of Virginia (§ 30-232 et seq.).

<sup>2</sup> § 30-232, Code of Virginia.

## Actions

The Commission, concerned with Virginia's compliance with the Olmstead decision<sup>3</sup>, wrote a letter to Governor-elect Kaine, encouraging him to continue the Olmstead initiative, which is set to expire January 14, 2006.

In light of the passage of 2005 legislation (HB2407 – Phillips; SB1238 – Puller) that requires localities to provide for the needs of elderly and disabled people in their comprehensive plans, the housing work group is focusing on assisting localities with implementation of the legislation. The work group will join with the Transportation and Housing Alliance, funded by a grant from the Virginia Board for People with Disabilities, to create guidelines and assessment tools for use by localities.

The Commission endorsed the following budget amendments for the FY 2006-08 biennium at its meeting on January 9, 2006:

		Total
• Implement a Medicaid Buy-In as part of the state plan:	600,000/yr	1.2 million
This includes adding budget language relating to the buy-in.		
• Add funding to end order of selection for DRS programs:	600,000/yr	1.2 million
It is estimated that this would serve approximately 630 persons who will be on the waiting list as of June 30, 2006.		

The Commission also determined to support budget amendments already proposed for the following:

• Brain injury waiver:	75,000 FY06-07 and 7.5 million FY07-08	7.575 million
• Community services for brain injury:	3.6 million/yr	7.2 million

Finally, the Commission began formulating its work plan for 2006, with emphasis on its statutory purpose as stated above. The Commission determined that its work will include the following topics: the Rehabilitative Services Incentive Fund (uses, successes, and any needed improvements or increased funding); Centers for Independent Living (with a long-term goal of establishing centers throughout the state); employment of people with disabilities within the Commonwealth (including review of the Commonwealth's own employment practices); and remaining informed of efforts taken by various agencies, with a focus on ensuring coordinated efforts across the spectrum of disability services.

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<sup>3</sup> Olmstead v. L.C., 527 U.S. 581 (1999).