

210.570 Legislative findings on review and evaluation of current system of services and supports for persons with an intellectual disability and other developmental disabilities -- Construction of KRS 210.570 to 210.577.

The General Assembly of the Commonwealth of Kentucky hereby finds and declares that:

- (1) Assistance and support to citizens of the Commonwealth with an intellectual disability and other developmental disabilities are necessary and appropriate roles of state government;
- (2) The current system of services and supports to persons with an intellectual disability and other developmental disabilities suffers from a lack of program coordination, funding, controls on quality of care, and review and evaluation;
- (3) As part of the review and evaluation, it is necessary to require:
 - (a) Identification, development, and provision of services and supports for persons with an intellectual disability and other developmental disabilities using available institutional care as appropriate and integrated with community-based services designed to be inclusive, responsive to individual needs, and protective of the individual's legal rights to equal opportunity;
 - (b) Review of current funding mechanisms to determine the best method to establish an array of community-based comprehensive services using facility-based outpatient services and supports that are available through public and private sectors, including nonprofit and for-profit service providers, that will allow persons with an intellectual disability and other developmental disabilities the opportunity to participate in community life. The review shall include consideration of the availability of residential alternatives, employment opportunities, and opportunities for participation in community-based social and recreational activities; and
 - (c) Development of funding strategies to promote appropriate use of community-based services and supports that provide:
 1. Flexibility for persons with an intellectual disability and other developmental disabilities;
 2. Distribution of available funds among all interested service providers, including nonprofit and for-profit service providers, based on the needs of the person with mental retardation and other developmental disabilities; and
 3. Efficiency and accountability to the general public;
- (4) KRS 210.570 to 210.577 shall be construed to protect and to promote the continuing development and maintenance of the physical, mental, and social skills of persons with mental retardation and other developmental disabilities; and
- (5) KRS 210.570 to 210.577 shall not be construed:
 - (a) To alter any requirements or responsibilities that are mandated by any state or federal law;
 - (b) To relieve any organizational unit or administrative body of its duties under state or federal law; or

- (c) To transfer among state organizations or administrative bodies any responsibilities, powers, or duties that are mandated by state or federal law.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 141, sec. 21, effective July 15, 2010. -- Created 2000 Ky. Acts ch. 403, sec. 1, effective April 14, 2000.