

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 525

95TH GENERAL ASSEMBLY

1398L.03T

2009

AN ACT

To amend chapter 633, RSMo, by adding thereto one new section relating to autism as addressed by the division of developmental disabilities.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 633, RSMo, is amended by adding thereto one new section, to be known as section 633.220, to read as follows:

633.220. 1. For purposes of this section, the following terms shall mean:

(1) "Autism", a lifelong developmental disability that typically appears during the first three years of life resulting from a neurological disorder that affects brain functioning which interferes with communication, learning, behavior, and social development;

(2) "Division", the division of developmental disabilities;

(3) "Family support", services and helping relationships for the purpose of maintaining and enhancing family caregiving. Family support may be any combination of services that enable individuals with autism to reside within their family homes and remain integrated within their communities. Family support services shall be:

(a) Based on individual and family needs;

(b) Identified by the family;

(c) Easily accessible to the family;

(d) Family-centered and culturally sensitive;

(e) Flexible and varied to meet the changing needs of the family members; and

(f) Provided in a timely manner contingent upon the availability of resources;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 (4) "Service provider", a person or entity which provides and receives
17 reimbursement for autism programs and services as specified in this section.

18 2. The division of developmental disabilities shall establish programs and services
19 for persons with autism. These programs and services shall be established in conjunction
20 with persons with autism and with families of persons with autism. The division shall
21 establish such programs and services in conjunction with the regional parent advisory
22 councils and with the Missouri parent advisory committee on autism. The programs and
23 services shall be designed to enhance persons with autism spectrum disorders and families'
24 abilities to meet needs they identify and shall:

25 (1) Develop skills for persons with autism through supports, services, and teaching;

26 (2) Teach families to provide behavioral supports to members with autism; and

27 (3) Provide needed family support.

28 3. The division director, with input from the Missouri parent advisory council on
29 autism, shall divide the state into at least five regions and establish autism programs and
30 services which are responsive to the needs of persons with autism and families consistent
31 with contemporary and emerging best practices. The boundaries of such regions, to the
32 extent practicable, shall be contiguous with relevant boundaries of political subdivisions
33 and health service areas.

34 4. The regional projects may provide or purchase, but shall not be limited to the
35 following services in addition to other contemporary and emerging based practices:

36 (1) Assessment;

37 (2) Advocacy training;

38 (3) Behavior management training and supports;

39 (4) Communication and language therapy;

40 (5) Consultation on individualized education and habilitation plans;

41 (6) Crisis intervention;

42 (7) Information and referral assistance;

43 (8) Life skills;

44 (9) Music therapy;

45 (10) Occupational therapy, sensory integration therapy, and consultation;

46 (11) Parent or caregiver training;

47 (12) Public education and information dissemination;

48 (13) Respite care; and

49 (14) Staff training.

50 5. Each regional project shall have a regional parent advisory council composed of
51 persons with autism and persons that have family members with autism, including family

52 members that are young children, school-age children, and adults, and who have met the
53 division's eligibility requirements to be a client as defined under section 630.005, RSMo.
54 Members of a regional parent advisory council shall be Missouri residents. No member
55 shall be a service provider, a member of a service provider's board of directors, or an
56 employee of a service provider or the division.

57 6. The responsibilities of each regional parent advisory council shall include, but
58 not be limited to, the following:

- 59 (1) Advocacy;
- 60 (2) Contract monitoring;
- 61 (3) Review of annual audits of projects by the department of mental health;
- 62 (4) Recommendation of services to be provided based on input from families;
- 63 (5) Recommendation of policy, budget, and service priorities;
- 64 (6) Monthly review of service delivery;
- 65 (7) Planning;
- 66 (8) Public education and awareness;
- 67 (9) Recommendation of service providers to the division for administration of the
68 project; and
- 69 (10) Recommendation of contract cancellation.

70 7. The division shall establish the Missouri parent advisory committee on autism.
71 The committee shall be appointed by the division director. A chair of the committee shall
72 be selected by members of the committee. It shall be composed of:

- 73 (1) Two representatives and one alternate from each of the regional parent advisory
74 committees established in subsection 3 of this section;
- 75 (2) One person with autism and his or her alternate.

76 8. The division director shall make every effort to appoint members nominated by
77 the regional parent advisory councils. The membership should represent the cultural
78 diversity of the state and represent persons with autism of all ages and capabilities.

79 9. The responsibilities of the Missouri parent advisory committee on autism shall
80 include, but not be limited to, the following:

- 81 (1) Serve as a liaison with the regional parent advisory councils and provide
82 current information to them and the persons and families they serve;
- 83 (2) Determine project outcomes for autism services;
- 84 (3) Plan and sponsor statewide activities;
- 85 (4) Recommend service providers to the division director in the event a regional
86 parent advisory committee and the district administrator cannot reach consensus; and

87 (5) Provide an annual report to the Missouri commission on autism spectrum
88 disorders, the governor, the director of the department of mental health, and director of
89 the division of developmental disabilities.

90 10. The director of the department of mental health shall promulgate rules and
91 regulations to implement this section. Any rule or portion of a rule, as that term is defined
92 in section 536.010, RSMo, that is created under the authority delegated in this section shall
93 become effective only if it complies with and is subject to all of the provisions of chapter
94 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536,
95 RSMo, are nonseverable and if any of the powers vested with the general assembly
96 pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and
97 annul a rule are subsequently held unconstitutional, then the grant of rulemaking
98 authority and any rule proposed or adopted after August 28, 2009, shall be invalid and
99 void.

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