

AREA	P.L. 91-517 (1970)	P.L. 94-103 (1975)	P.L. 95-602 (1978)	P.L. 97-35 (1981)	P.L. 98-527 (1984)	P.L. 100-146 (1987)
A. TARGET GROUP	MR, CP, Epilepsy, or neurological condition that originates prior to age 18 year, is expected to continue indefinitely and constitutes a substantial handicap.	MR, CP, Epilepsy, <u>Autism</u> , <u>Dyslexia</u> , or other similar condition closely related to MR, that originates prior to age 18 years, is expected to continue indefinitely and constitutes a substantial handicap.	DD is defined as a severe chronic disability of a person attributable to a mental or physical impairment, is manifested before age 22 years, is likely to continue, results in functional limitations in 3 or more major life activities and reflects need for lifelong services.	No change.	No change.	No change.
B. PROGRAM:	<ol style="list-style-type: none"> 1. Develop and implement a comprehensive plan; 2. Provide services to persons with developmentally disabilities; 3. Construction of facilities; 4. Training of specialized personnel; 5. Development and demonstration of new services; 6. University Affiliated Facilities; 7. Demonstration and training grants. 	Same as P.L. 91-517 with additions noted in items I through O.	Defined as findings: <ol style="list-style-type: none"> 1. Two million people with developmental disabilities in U.S.; 2. People with developmental disabilities require lifelong services; 3. General service agencies tend to exclude people with d.d. in planning and delivery of services; 4. National interest to strengthen programs that reduce need for institutional care. 	No change.	<ol style="list-style-type: none"> 1. Act restructured. 2. "Service Activities" replaces "Services," with recognition that the State grant program is not a program of direct services, but a program which engages in activities to promote services. 	No change.
C. Prime Concepts	<ol style="list-style-type: none"> 1. Development of comprehensive services through state agency representation in health, welfare, education, and rehabilitation; 2. Comprehensive planning to provide for more efficient and effective utilization of human and fiscal resources at all levels; 3. Develop new or innovative programs to fill gaps or expand the reach of services to new groups of individuals; 4. Integration of services and resources; 5. Develop strategies for implementation; 6. Maintenance of efforts in state and local funding. 	Same as P.L. 91-517	Assure that people with developmental disabilities receive the care, treatment, and other services necessary to enable them to achieve maximum potential through coordination, monitoring, planning, and evaluating services and ensuring protection of legal and human rights of people with developmental disabilities. <ol style="list-style-type: none"> 1. Assist in provision of comprehensive services for people with d.d. whose needs are not met by P.L. 94-142, Rehab. Act of 1973, or other health, education, or welfare programs. 2. Assist in planning activities. 3. Grants for model programs, innovative habilitation, and training. 4. UAF funding. 5. Protection and Advocacy system. 	No change.	<ol style="list-style-type: none"> 1. New language added to purpose (provides direction and outcomes): "...to achieve their maximum potential through increased independence, productivity, and integration into the community..." 2. New definitions: <ol style="list-style-type: none"> a. Independence--extent to which people exert control and choice over their own lives; b. Productivity--engagement in income-producing work; c. Integration--using common community resources, participating in community activities with persons who do not have disabilities, and residing in homes or homelike settings in the community. d. Other definitions: services, service activities, priority services, employment related activities, supported employment, and satellite UAF center. 	Recognition that families and members of communities can play a central role in lives of persons with developmental disabilities. Added to purpose: "to enhance the role of the family." Definitions added: family support services, supported employment, child development activities, assistive technology.

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D. ALLOTMENT FORMULA	<ol style="list-style-type: none"> 1. Population 2. Per Capita Income 3. Need 4. Minimum Allotment \$100,000. 	Same as P.L. 91-517	Same as P.L. 91-517	No change.	Adjustment allowed only on annual basis. States must be notified not less than six months before the beginning of the fiscal year.	Increase in minimum allotments.
E. USE OF FUNDS:	<ol style="list-style-type: none"> 1. Planning--services and construction. 2. Administration. 	Same as P.L. 91-517	Same as P.L. 91-517 with 65% allotted for priority services and 35% for administration.	No change.	<p>A state's federal share allowed to be calculated in the aggregate--75 percent federal in non-poverty, 90 percent in poverty. (This meant that states may vary the level of match required of subgrantees depending on the purpose of the project.</p> <p>The 35% funds for administration may be used for service activities, planning, coordination, administration, and advocacy.</p>	Purpose: to develop comprehensive system and coordinated array of services through planning and coordination.
F. SERVICES:	<p>16 basic services includes:</p> <ul style="list-style-type: none"> diagnosis evaluation treatment personal care daycare domiciliary care special living arrangements training education sheltered employment recreation counseling protective legal services information and referral follow-along transportation 	Same as P.L. 91-517	<p>16 basic services replaced by four priority areas of funding:</p> <ol style="list-style-type: none"> 1. case management; 2. child development; 3. alternative community living arrangements; 4. nonvocational, social developmental services. <p>Services are defined as model service programs, service provision, outreach, training, and expansion of available services.</p>	No change.	<p>Priority services (up to three allowed by 1987): alternative community living arrangements, <u>employment related activities</u> (new), child development, and case management. Note: nonvocational social-developmental services dropped from the list.</p>	<p>Added to "priority area activity": to increase the capacities and resources of public and private nonprofit entities by various methods: studies and analyses; gathering information; model policies and procedures; influencing policymakers; demonstrating new ways; outreach, training of paraprofessionals, students, volunteers, family members, etc.</p> <p>Federal priority areas: community living activities, employment activities, child development activities, and case management activities.</p>

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G. ADMINISTRATION:	The primary mechanisms of administration are the State Council and designated state agency; the Council sets direction, submits State Plan, and meets membership requirements (state agency representatives with 1/3 consumers). The state agency administers and supervises administration of the State Plan.	Same as P.L. 91-517	Same except membership shall include state agencies, higher education, local agencies, nongovernmental agencies with 1/2 membership either consumers or guardians. Of the 1/2, 1/3 shall be persons with d.d., 1/3 immediate relatives and at least 1 member will be a relative to a resident in an institution.	No change.	Restricts the percentage of funds permitted to fund the state administering agency to provide services. Council membership expanded to include representatives of: a) the principal state agencies, including vocational rehabilitation, Education of the Handicapped, Title XIX (Medicaid); c) each UAF or Satellite; d) Protection and Advocacy Systems; e) local agencies; and non-governmental agencies and private non-profit groups. One Council member may fulfill two or more requirements for membership.	Public review process established for redesignation of administrative agency of State Councils. (Those within direct service agencies could be redesignated to assure advocacy role of the Council.) Council membership expanded to include representation from administering agency of Older Americans Act of 1965.
H. STATE PLAN:	<ol style="list-style-type: none"> 1. Describe quality, extent and scope of existing services (quality must be described). 2. Describe need and how need will be met. 3. Describe policies and procedures for expenditure of funds. 4. Assurances. 	Same as P.L. 91-517, plus contains a plan designed to eliminate inappropriate placements in institutions and improve the quality of institutional care. Provide for services such as preschool, coordination, advocacy, and community alternatives. Provide for maximization of VISTA resources.	<ol style="list-style-type: none"> 1. Set specific objectives. 2. Describe extent and scope of services in education, vocational rehabilitation, public assistance, medical assistance, social services, maternal and child health, crippled children's services, health, and mental health. 3. Describe priority service areas. 4. Establish annual evaluation. 	No change.	Required after FY 1986, the selection of employment-related activities as a mandatory priority in each state.	Preparation of 1990 Report: 1) Conduct review and analysis of the eligibility for services provided, and the extent, scope, and effectiveness of, services provided and functions performed by all agencies. 2) Conduct review and analysis of effectiveness of, and consumer satisfaction with services funded with state and federal funds via: a) survey of people using services; b) obtain comments from all interested persons (i.e., public forums in Minnesota).
I. AFFIRMATIVE ACTION:		Affirmative action for qualified individuals with handicaps.	Same as P.L. 94-103.	No change.	No change.	No change
J. EVALUATION:		Comprehensive evaluation system to be implemented within 2 years that assesses individual developmental progress.	Same as P.L. 94-103.	Dropped.	No change.	No change.

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K. BILL OF RIGHTS:		Three rights of persons with developmental disabilities: a. right to appropriate treatment, services, and habilitation in least restrictive environment that maximizes developmental potential; b. public funds should not be provided to any programs that conflicts with (1) and does not meet the minimum standards: nutritious diet, medical and dental services, prohibition of physical restraints, visiting rights for relatives, and compliance with fire and safety; c. residential programs should meet ICF-MR standards and other programs should also meet appropriate standards.	Added sentence, "These rights are in addition to any constitutional or other rights afforded to all persons."	No change.	No change.	No change.
L. HABILITATION PLANS:		Programs that receive funds must have IHPs.	Same as P.L. 94-103.	No change.	No change	Emphasized that the person for whom the plan is developed be a part of the process.
M. PROTECTION AND ADVOCACY:		By 10/1/77, a state protection and advocacy was required.	The State Planning Council cannot administer the P&A.	No change.	P&As given access to individual records if a complaint has been received; a person does not have a legal guardian; or the state or designee of the state is the legal guardian. Process established for agency redesignation.	No change.
N. REVIEW PLANS:		Review and comment on all State Plans that relate to programs for people with developmental disabilities.	Same as P.L. 94-103.	No change.	No change.	Required to review significant actions taken by the state with respect to annual survey report and plan of corrections for cited deficiencies of ICF/MRs.
O. EMPLOYEE PROTECTION:		Develop an employee protection plan for individuals affected by deinstitutionalization.	Same as P.L. 94-103.	No change.	No change.	Dropped.

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P. SPECIAL REPORTS:			Several special reports on the impact of developmental disabilities were required by Congress by 1/15/81.	No change.	<p>1. State Councils required to submit a report concerning activities carried out in the preceding fiscal year, i.e.: activities and accomplishments; comparison of accomplishments with goals, objectives in proposed State plan, and accounting of funds.</p> <p>2. The Secretary required to report on accomplishments of the four DD Programs using reports from states.</p>	<p>1990 Report: By April 1, 1990, submit to Governor and Legislature final report concerning the review and analyses (under State Plan, above) to include: a) appropriate agency(ies) to serve the traditionally underserved populations; and b) recommendations for remedies. Report then submitted to Secretary of HHS/ADD, which would then submit a composite report to Congress.</p>
Q. PROFESSIONAL ASSESSMENT AND EVALUATION SYSTEMS			There must be an assessment of the adequacy of the skill level of staff who work with people with developmental disabilities in order to maintain high quality services.	No change.	No change.	No change.
R. UNIVERSITY AFFILIATED FACILITIES ["PROGRAMS"--IN 1987]					<p>Authorized UAF feasibility studies for establishing new UAFs: a) to establish a UAF or satellite in an area not served; b) to perform a needs assessment; and c) to study ways UAFs can assist in establishing one or more satellite centers. [Note: U. of Minnesota, established as a satellite program under Iowa UAF sponsorship.]</p>	<p>Name change: "Facility" changed to "Program." (UAF to UAP).</p>

AREA

P.L. 101-496 (1990)

A. TARGET GROUP:

There are more than 3 million people with developmental disabilities in the U.S. (Replaces "2 million"); "a substantial number remain unserved or underserved."

Definition of "developmental disabilities" clarified to address/ include those from birth to 5 years old--"who have substantial developmental delay or specific congenital or acquired conditions with a high probability of resulting in developmental disabilities."

B. PROGRAM:

No change, except as below.

C. PRIME CONCEPTS:

Moved beyond goals of independence, integration, and productivity toward: interdependence, inclusion into society, and recognition of contributions (other than productivity).

Also added to purpose:
to provide interdisciplinary training and technical assistance to professionals, paraprofessionals, family members, and individuals with d.d.; and to advocate for public policy change and community acceptance.

Definitions:

1. Integration, altered to include use of "same community resources in living, learning, working, and enjoying life," and the development of "friendships and relationships with persons without disabilities."
2. Family support services, to strengthen families, prevent inappropriate out of home placements and maintain family unity, and to reunite families.
3. Also added--"individual support services," "community support services," "assistive technology services," and "prevention."

D. ALLOTMENT FORMULA:

No change.

E. USE OF FUNDS:

No change.

AREA	P.L. 101-496 (1990)
F. SERVICES:	Federal priority activities: community living, employment, child development, and <u>system coordination and community education</u> (replacing "case management").
G. ADMINISTRATION:	No change.
H. STATE PLAN:	Describe programs relating to "housing, transportation, and technology." (Added to "State Context Section.")
I. AFFIRMATIVE ACTION:	No change.
J. EVALUATION:	No change.
K. BILL OF RIGHTS:	No change.
L. HABILITATION PLANS:	No change.
M. PROTECTION AND ADVOCACY:	No change.
N. REVIEW PLANS:	"Plans" changed to "programs," as related to persons with developmental disabilities <u>and their families</u> .
O. EMPLOYEE PROTECTION:	No change.
P. SPECIAL REPORTS:	Annual report to address unserved and underserved populations. 1990 Report to be reflected in State Plan.
Q. PROFESSIONAL ASSESSMENT AND EVALUATION SYSTEMS:	No change.
R. UNIVERSITY AFFILIATED PROGRAMS:	No change.