

HOUSE BILL 115

By Ramsey

AN ACT to amend Tennessee Code Annotated, Title 33,
Chapter 5, relative to services and supports for
people with intellectual disabilities.

WHEREAS, having an intellectual disability can significantly impact a person's capacity to perform day-to-day activities such as eating, dressing, grooming, using the restroom, finding and maintaining employment, and many other activities representing skills that most Tennesseans take for granted; and

WHEREAS, appropriate services can ensure that people with an intellectual disability can lead productive and fulfilling lives within their homes, families, schools, workplaces, and communities; and

WHEREAS, the lack of services can lead to the limitation of physical, emotional, intellectual, and social capacity, which ultimately compromises not only the quality of life, but also health, family economics, and life expectancy for persons with an intellectual disability; and

WHEREAS, the waiting list for persons with intellectual disabilities maintained by the Department of Intellectual and Developmental Disabilities has grown from 3,222 persons in 2003, to 4,919 persons in 2006, to 6,016 persons in July 2009, and to 6,734 persons in November 2014; and

WHEREAS, the waiting list includes an estimated 400 persons whose custodial parents or custodial caregivers are 75 years of age or older; and

WHEREAS, after a lifetime of providing continuous support at no cost to the state, these elderly custodial parents and custodial caregivers deserve the comfort of knowing their family member will have needed services; and

WHEREAS, the Comptroller's Performance Audit of the Department of Intellectual and Developmental Disabilities, October 2013, included a finding about the insufficient number of persons moved from the waiting list into services and, as otherwise updated to reflect the year 2013-2014, noted the following:

YEAR	WAIT LIST	SERVICES
<i>2010-2011</i>	<i>965 added</i>	<i>230 accepted into services;</i>
<i>2011-2012</i>	<i>667 added</i>	<i>223 accepted into services;</i>
<i>2012-2013</i>	<i>467 added</i>	<i>238 accepted into services;</i>
<i>2013-2014</i>	<i>486 added</i>	<i>363 accepted into services; and</i>

WHEREAS, this situation calls for changes to the administration of the waiting list; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 33, Chapter 5, Part 1, is amended by adding the following as a new section:

A person with an intellectual disability who is on the waiting list for services and whose older custodial parent, or custodial caregiver, attains seventy-five (75) years of age shall be enrolled in the self-determination waiver or a similarly capped medical assistance waiver within six (6) months of the person's parent or caregiver attaining that age.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.