

The West Virginia Developmental Disabilities Council 2017 Legislative Statements



The West Virginia Developmental Disabilities Council is an independent state agency funded by a grant under the Developmental Disabilities Assistance and Bill of Rights Act (PL. 106-402). The mission of the Council is to assure that West Virginians with developmental disabilities receive the services and supports and other forms of assistance they need to exercise self-determination and achieve independence, productivity, integration and inclusion in their communities.



HEALTH

The Council will monitor and support legislation that expands and/or improves the quality and accessibility of health care services for people with intellectual and other developmental disabilities.

The Council will monitor and support legislation that promotes a healthier environment.

The Council will monitor and support any healthcare related legislation that mandates insurance programs to cover assistive technology, augmentative equipment, preventative and maintenance dental, hearing and vision services, as well as reasonable and adequate reimbursement for necessities such as tube feeding formulas and other durable medical supplies.

The Council will monitor and advocate against any policy or legislation that seeks to hasten death by allowing or authorizing medical professionals to judge the value of a person's life by invoking "quality of life" concerns.



COMMUNITY SUPPORTS

The Council will monitor the State's Medicaid budget and other appropriations in order to advocate for adequate funding for programs that allow people with intellectual and other developmental disabilities to receive the services and supports they need to live, learn, work, and fully participate in the community of their choice.

The Council will monitor and support legislation that requires direct care staff to be highly qualified and trained to assist people with intellectual and other developmental disabilities.

The Council will continue to advocate for full implementation of the *Olmstead* decision rendered by the United States Supreme Court in June 1999. The decision mandates that States administer services, programs, and activities in the most integrated settings.

The Council will monitor and support legislation that allows people with intellectual and other developmental disabilities to live free from abuse, neglect, and financial exploitation.

The Council will support legislation that strengthens safeguards for people with intellectual and other developmental disabilities who do not qualify for or are denied Medicaid I/DD Waiver, Aged and Disabled Waiver, Traumatic Brain Injury Waiver, or other relevant publicly funded community supports.

The Council will support legislation that strengthens and improves services for people with intellectual and developmental disabilities.

The Council will advocate for adequate community-based supports for people with co-existing intellectual and developmental disabilities and mental illness who are at risk for inappropriate placement in out-of-state facilities, nursing facilities, or psychiatric facilities or other overly restrictive services.

The Council will advocate for the use of alternatives to guardianship for people with intellectual and developmental disabilities. The Council also will advocate for the training of appointed counsel, mental hygiene commissioners, and judges on the necessity to explore supported decision making and limited guardianship so that full guardianship would be used only as a means of last resort.



EDUCATION

The Council will advocate for full enforcement of the **Individuals with Disabilities Education Act (IDEA)**, **Every Student Succeeds Act (ESSA)**, **Workforce Innovation and Opportunity Act (WIOA)** and other relevant laws and policies. The Council also advocates for the imposition of sanctions on school districts that do not comply or implement these laws and policies.

The Council will support legislation that promotes inclusive education to the maximum extent possible for students of all ages and all levels of need.

The Council will support legislation that requires all teachers, therapists, and staff to be highly qualified and trained to implement and carryout Individualized Education Plans (IEPs) and 504 Plans that may include positive behavioral interventions and supports, necessary therapies, and other services and supports.

The Council will support legislation that requires enforcement of **Policy 4373 Expected Behavior in Safe and Supportive Schools** to allow students with intellectual and other developmental disabilities to be educated free from bullying and unnecessary expulsion and suspension.



EMPLOYMENT

The Council will support increased flexibility of Career Technical Education (CTE) programs to allow enrollment of students with the most significant intellectual and other developmental disabilities so that they can learn a trade and earn certificates that would increase the possibilities of meaningful employment.

The Council will support legislation that gives employers tax breaks or other incentives for hiring people with intellectual and other developmental disabilities.

The Council will monitor and support legislation that assists people with intellectual and other developmental disabilities to receive valued, integrated employment with competitive wages.

The Council will advocate for “Employment First” legislation that requires responsible state agencies to pursue integrated, competitive, and valued employment as the first option for working-age people with intellectual and developmental disabilities.

For additional information, please contact us.

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