

FIRST REGULAR SESSION

# HOUSE BILL NO. 411

## 96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WYATT.

1278L.011

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To amend chapter 633, RSMo, by adding thereto one new section relating to developmental disabilities facilities.

*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 633.325, to read as follows:

**633.325. 1. On or before December 31, 2012, the department of mental health shall submit a plan for transitioning the provision of services for residents of state developmental disabilities facilities, including intermediate care facilities for the mentally retarded, to the most integrated settings appropriate to their needs. While developing the plan, the department shall contract with a reputable independent third party to conduct a study and develop a plan identifying mechanisms to serve persons currently living in state institutions in the community. Upon completion, the plan shall be submitted to the governor, the senate appropriations committee, the house health, mental health and social services appropriations committee, the house budget committee and the developmental disabilities advisory council established under section 633.020.**

**2. Based on an assessment of individual needs and preferences, the plan shall contain recommendations for each resident identifying:**

**(1) Services in the most integrated setting appropriate for each resident in the community of his or her choice;**

**(2) The cost of providing necessary services in community settings for each individual;**

**(3) Barriers that prohibit the individual from being served in the community; and**

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.

18           **(4) A timetable for making the transition.**

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20 **If institutional settings are recommended for any resident in a written plan of habilitation,**  
21 **the plan shall identify ways to address such recommendations, particularly for court-**  
22 **committed residents who may pose a danger to themselves or others.**

23           **3. The plan shall include:**

24           **(1) An overview of contemporary best practices in serving individuals with**  
25 **developmental disabilities;**

26           **(2) Research, data and trends from Missouri and nationwide regarding residential**  
27 **settings for individuals with developmental disabilities, including quality of life studies and**  
28 **information compiled on the desires and preferences of individuals with developmental**  
29 **disabilities; and**

30           **(3) Recommendations for permanent full time state employees working at such**  
31 **facilities, including other employment opportunities with the state, the availability of**  
32 **training, and other assistance that may be required.**

33           **4. The plan shall identify:**

34           **(1) Alternative uses for state-owned facility property while considering economic**  
35 **development opportunities in the community and providing for the involvement of local**  
36 **residents in determining the most appropriate use of the property;**

37           **(2) The total cost, cost savings, and the time frame for realization of such cost**  
38 **savings including both operating and any capital costs and realized savings of**  
39 **implementing the plan recommendations;**

40           **(3) Potential sources of funds to support the transition plan including any and all**  
41 **state and federal incentives currently available for deinstitutionalization;**

42           **(4) For any cost savings realized, the number of individuals currently on the**  
43 **division of developmental disabilities waiting list who could be served utilizing the funds;**

44           **(5) Any legal obstacles, including any involving the guardians of residents, to**  
45 **implementing the plan. In addition, the plan shall identify any mechanisms either**  
46 **currently available or that are needed to address identified obstacles, including regulatory**  
47 **or statutory changes;**

48           **(6) Any services, including crisis intervention, that would have to be developed or**  
49 **enhanced to successfully support individuals in the community; and**

50           **(7) A proposed schedule for implementation of the plan with the goal of shifting**  
51 **provision of services to the community for every resident by January 1, 2018.**

52           **5. All long term admissions to state run intermediate care facilities for the mentally**  
53 **retarded shall cease upon the effective date of this section.**

54           **6. Any plans started after August 28, 2011, to build or renovate state-owned**  
55 **facilities shall not be implemented, entered into contract to construct, or put out for bid**  
56 **until the completion of the plan.**

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