

Moving Forward

The Developmental Disabilities Advocates'
Guide to Legislation

Jan 13, 2012
Volume 17—Issue 2

Brought to you by the Georgia Council on Developmental Disabilities



WELCOME to the 2012 Legislative Session! The second year of the General Assembly began on Monday the 9th. The Governor delivered the State of the State Address the evening of the 10th to the Joint Session during prime time. His speech focused on the guiding stars for a growing Georgia: Education, Safety, Transportation, Infrastructure, Economic Development and Jobs. Georgia maintains its AAA Bond rating, and is rebuilding its rainy day fund. The Governor offered proposals for adding days to Pre K funding, maintaining HOPE at the current level, modifying the treatment of nonviolent offenders, developing a "GO BUILD" job development program, and funding 400 Medical residency slots, among other initiatives. We are still analyzing the budget, so stay tuned for more news. This issue presents the figures as released in the budget. You can view the budget yourself at <http://opb.georgia.gov>

Please stay tuned to the latest news by signing up for Capitol Impact and Moving Forward. Stay Connected!

House and Senate News:

House Leadership — Speaker of the House: David Ralston, 7th; **Speaker Pro Tempore:** Jan Jones, 46th. The Speaker vote is held the opening day of the session, but we do not expect any changes. **Majority Leader:** Larry O'Neal, 146th; **Minority Leader:** Stacey Abrams, 84th.

Senate Leadership—Presiding: **Lt. Gov.** Casey Cagle; **President Pro Tempore:** Tommie Williams, 19th; **Majority Leader:** Chip Rogers, 21st; **Majority Whip:** Cecil Staton, 18th; **Minority Leader:** Steve Henson, 41st. **Minority Whip:** Vincent Fort, 39th.

Contact information for the Governor—The Honorable Nathan Deal, 203 State Capitol, Atlanta, Georgia, 30334; 404-656-1776, <http://gov.state.ga.us>

Visit www.vote-smart.org to identify your legislators. Find your legislators' contact information at www.legis.state.ga.us House Information, 1-800-282-5800; Senate Information 1-800-282-5803.

Budget Information:

The 2012 Session tackles the 2012 supplemental budget, referred to here as FY 2012A, (ending June 30, 2012) and the 2013 FY budget (beginning July 1, 2012).

Department of Behavioral Health and Developmental Disabilities; FY 2012A and FY 2013

The Department is in the second year of the Settlement Agreement with the Department of Justice which was signed on October 19, 2010. The agreement lays out five years of deliverables to better serve people with mental illness and developmental disabilities currently living in state institutions or at risk of institutionalization. Last year, the Department was spared budget cuts and received over \$70 million dollars to begin the work on the settlement. This year, the Department took a 2% cut with all the other state agencies. The budget package for the settlement is listed following. UNLOCK the waiting list is requesting additional funding for populations considered "most in need." Please see the Unlock website for this budget package. Moving Forward only reports the figures as proposed in the budget.

Provide funding for developmental disabilities consumers in community settings to comply with the DOJ settlement agreement: \$4,216,000

Includes:

Family Support: \$1,466,000
9 crisis respite homes, 6 mobile crisis teams: \$2,300,000
Education of Judges and Law Enforcement \$250,000
Waiver audits \$200,000

Provide for additional 150 COMP waivers and annualize the cost of 100 NOW and COMP waivers from FY 2012 (community waivers). \$5,290,181

Use the Balancing Incentive Payment Program for additional 100 NOW / COMP waivers in the community: YES

Use the Balancing Incentive Payment Program to annualize the cost of 150 FY 2012 COMP waivers YES

Department of Community Health; FY 2013

There is no funding proposed to annualize the 33 ICWP waivers from the FY 2012 budget. There is no funding proposed to fund the remainder of the ICWP waiting list. Please see the Unlock website for these figures.

Department of Human Services; FY 2013

The Governor is proposing to move all services under Vocational Rehabilitation, currently housed within the Department of Labor, to the Department of Human Services. The following divisions will transfer funds, services, and personnel to DHS:

Business Enterprise Program	state funds	\$267,655
	total funds	\$2,233,740
Disability Adjudication Unit	total funds	\$55,598,820
Georgia Industries for the Blind	total funds	\$11,828,888
Roosevelt Warm Springs Inst.	state funds	\$5,484,053
	total funds	\$31,366,429
Vocational Rehabilitation	state funds	\$12,851,140
	total funds	\$79,324,509

Department of Education FY 2013

The biggest changes in the Department of Education budget were to wrap a few more items into the Quality Basic Education Formula which comprise the state portion of each student's funding.

Provide an increase based on 0.36% enrollment growth and for training and experience \$114,456,895

Provide differentiated pay for newly certified math and science teachers. \$3,020,931

Provide a grant to the State Special Charter Schools \$8,647,953

Transfer funds for Nutrition (\$15,788,068), Pupil Transportation (\$127,704,479), and School Nurses (\$30,071,158) into the Quality Basic Education Program \$173,563,705

Transfer funds for Georgia Special Needs Scholarships to the Quality Basic Education Program \$10,144,033

Calendar: Week of 1-17 to 1-19 Room 341 CAP

Tuesday through Thursday, the House and Senate are in recess for Budget Hearings.

Tuesday: Governor; Economic Outlook, Revenue; Georgia State Finance Commission; Revenue; Education, University System.

Wednesday: Corrections, Economic Development, Courts, Defense, Transportation, Tech Colleges, DECAL, Student Finance Commission

Thursday: Human Services, Community Health, Behavioral Health and Developmental Disabilities, Office of Planning and Budget, Juvenile Justice, Natural Resources, Agriculture, Secretary of State

Legislation: HOUSE

HB 23: To require the Department of Human Services to establish regulations governing the use of psychotropic medications for foster children in state custody. **Sponsor:** M.Oliver, 83. **Status:** HHS; House Second Readers.

HB 52: To add public and private schools, public and private colleges, and public and private universities to the places where disabled persons may be accompanied by a guide or service dog; to prohibit the requiring of extra deposits for persons with guide or service dogs. **Sponsor:** Bearden, 68. **Status:** H.Ed; Senate Recommitted.

HB 181: Relating to the scholarship program for special needs students, so as to provide for the waiver of one of the scholarship requirements under certain conditions. **Sponsors:** Golick, 34; Coleman, 97; Casas, 103; Lindsey, 54; Nix, 69. **Status:** Ed&Y; Senate Recommitted.

HB 229: Relating to administrative hearings and appeals under Medicaid generally, to provide that the decision of the administrative law judge shall be the final administrative decision of the commissioner.

Sponsors: Cooper, 41; Jacobs, 80; Channell, 116; Lindsey, 54; Oliver, 83. **Status:** Judy; Favorably Reported.

HB 387: To provide for comprehensive revision of the revenue structure of the State of Georgia. **Sponsors:** Channell, 116; O'Neal, 146; Jones, 46; Peake, 137. **Status:** Spec. Joint Comm; House Withdrawn, Recommitted.

HB 388: To provide for comprehensive revision of the revenue structure of the State of Georgia. **Sponsors:** Channell, 116; O'Neal, 146; Jones, 46; Peake, 137. **Status:** Spec. Joint Comm; House Withdrawn, Recommitted.

HB 432: Relating to general provisions relative to labor and industrial relations, so as to allow employees to use sick leave for the care of immediate family members. **Sponsors:** Dempsey, 13; Manning, 32; Smith, 129; McKillip, 115; Sims, 119; Kaiser, 59. **Status:** IR; House Second Readers.

HB 471: Relating to arrest and detention of juveniles, so as to change provisions relating to when interim control of children is permitted. **Sponsors:** Willard, 49; Lindsey, 54; Oliver, 83; Jacobs, 80; Weldon, 3; Dobbs, 53. **Status:** Judy; House Second Readers.

HB 476: To establish the Georgia Health Exchange Authority; to provide for legislative intent; to provide for definitions; to provide for a board of directors; to provide for composition, terms, and officers; to provide for powers and duties of the authority; to provide for the Georgia Health Exchange and the Small Business Health Options Program (SHOP) Exchange; to provide for automatic repeal under certain conditions; to provide for a trust fund; to provide for an advisory committee; to provide for limited liability; to provide for rules and regulations; to provide for accounts and audits. **Sponsors:** Smith, 131; Meadows, 5. **Status:** Ins; House Withdrawn, Recommitted.

HB 662: Relating to educational programs, so as to enact the "Blind Persons' Braille Literacy Rights and Education Act. **Sponsors:** Manning, 32; Reece, 11. **Status:** Education; House Second Readers

HB 669: Relating to the organization of the executive branch generally, so as to require the reporting of federal funds received by certain state agencies. **Sponsor:** Clark, 98.

HB 713: Relating to the "Quality Basic Education Act," so as to delay implementation of some career and college readiness initiatives until the 2013-2014 school year; to require career education in grades k-12; to change the mandated assessment for postsecondary readiness to the end of 11th grade. **Sponsors:** Nix, 69; Coleman, 97; Davis, 109; Kaiser, 59; Carter, 175; Casas, 103. **Status:** Ed; House First Readers

HB 719 and 720: Providing appropriations for the State Fiscal Year 2011-2012. **Sponsor:** England, 108. **Status:** App; House First Readers.

HB 721 and 722: Provide appropriations for the State Fiscal Year beginning July 1, 2012, and ending June 30, 2013. **Sponsor:** England, 108. **Status:** App; House First Readers.

Legislation: SENATE

SB 198: Relating to primaries and elections generally, so as to provide definitions; to cover all disabilities in providing assistance in voting.

Sponsors: Goggans, 7; Grant, 25; Unterman, 45. **Status:** Ethics; Senate Read and Referred.

SB 245: Relating to definitions relative to governing and regulation of mental health, so as to revise the definition of "developmental disability." **Sponsor:** Goggans, 7. **Status:** HHS; House Second Readers.

SB 292: To enact the "Social Responsibility and Accountability Act"; to define certain terms; to provide that the DHS shall create an established drug test to be administered to each applicant for temporary assistance for needy families or Medicaid benefits; **Sponsors:** Albers, 56; Rogers, 21; Gooch, 51; Shafer, 48; Carter, 1; Ligon, 3.

House Companion HB 668. Sponsors: Spencer, 180; Willard, 49; Braddock, 19; Houston, 170. **House Companion HB 698 & 699. Sponsors:** Stephens, 164; McKillip, 115.

SB 308: Relating to technical and adult education, so as to permit proprietary institutions of higher education to participate in establishing college and career academies. **Sponsors:** Grant, 25; Millar, 40; Henson, 41; Jones, 10; Carter, 42; Balfour, 9. **Status:** Senate Hopper.

SR 646: To ensure the necessary conditions for expanded high-quality digital learning opportunities for the students of this state. **Sponsor:** Rogers, 21. **Status:** Ed&Y; Senate Read and Referred.

www.gcdd.org

www.unlockthewaitinglists.com

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Register for Disability Day at the Capitol on
Thursday Feb, 16th

please go to: <http://bit.ly/gL3elb> or dial 404-656-6593

Dates to Remember:

Martin Luther King Remembrance: January 16th

Arc Legislative Reception at the DEPOT: January 24th

February is Self-Advocates Month at the Capitol

Mental Health Day at the Capitol: February 8th

Disability Day at the Capitol: February 16th!



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