

# Moving Forward

The Developmental Disabilities Advocates'  
Guide to Legislation

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Volume 17—Issue 1

Brought to you by the Georgia Council on Developmental Disabilities



**Happy New Year!** This is the first issue of Moving Forward for the 2012 Legislative Session. In this issue, we review the leadership changes in the House and Senate, the budget items of interest to the disabilities community (still in the proposed stage), and list the carry-over legislation. We anxiously await the release of the Governor's budget, expected the first week of the session.

**Revenue collections are up**, and unemployment is down slightly. From August 2011 to November 2011, revenue increases averaged 6.8% higher than these same months in 2010. The state still faces a potential shortfall of \$1 billion. State agencies were asked to reduce their budgets by 2%. There aren't many places left to cut.

**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](http://www.vote-smart.org)** to identify your legislators. Find your legislators' contact information at [www.legis.state.ga.us](http://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

This will be the third full year budget for the DBHDD. 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."

We await the Governor's budget address to hear what he will propose to the legislature for funding.

## Take Action—Advocacy Questions and Answers

**How can I take action on legislation?** (1) Form a relationship with your representatives and senators by calling, emailing, faxing, and scheduling meetings to tell them about how their decisions on the budget and laws affect the quality of life for you and your family. (2) Visit GCDD's website for additional resources like fact sheets to utilize in your advocacy efforts: [www.gcdd.org/public\\_policy](http://www.gcdd.org/public_policy) (3) Visit [www.unlockthewaitinglists.com](http://www.unlockthewaitinglists.com) and click on Action Center.

**How can I contact my state representative or senator?** Every member has an email address. However, the most effective way to communicate is by letter or phone. Legislators prefer to hear from their own constituents and may not pay attention to mass emails or form letters from people outside their districts. Information about legislators is also available in the "White Book," available at [www.legis.state.ga.us](http://www.legis.state.ga.us), click on "Picture Book" or obtain them from the House or Senate Clerks' Offices in the Capitol.

**How did my legislators vote?** Voting Records are online by bill number, not by legislator. This may take up to five days following the actual vote. Go to [www.legis.state.ga.us](http://www.legis.state.ga.us) then click on House or Senate, then click on House votes or Senate votes for a complete roll call on how each person voted on a certain bill. Printed copies may be obtained from the Clerk of the House (404) 656-5015 or the Secretary of the Senate (404) 656-5040. A complete record of votes on every bill is available for a fee.

## Budget for the Settlement Agreement between the US Department of Justice and the State of Georgia:

The following summarizes the DBHDD's budget package for the settlement agreement for persons with developmental disabilities.

Provide funding for 9 crisis respite homes, and 6 mobile crisis teams to eliminate all DD hospital admissions

\$5,122,963

Additional 250 waivers:

(150 for hospital transition, 100 waiting list) \$8,969,943

Annualize 250 waivers from the FY 2011 budget:

(150 for hospital transition, 100 waiting lists) \$5,994,066

Provide Family Support for 1,350 families to keep children at home and avoid more costly services \$1,872,000

(this means **500 new families** served @ 3744.00 average)

## Budget Package for Unlock the Waiting Lists!

Annualize waivers for youth aging out of DFCS care

\$1,299,996

750 waivers for youth exiting high school: state match portion, 6 months \$3,255,937

40 COMP waivers for youth aging out of DFCS needing adult services, 6 months \$590,410

280 COMP waivers for most in need in the community, 6 months \$4,132,870

70 NOW waivers for most in need in the community, 6 months \$303,887

3 Behavioral Specialists allocated to each region, and two additional for Region 3 @55,000 per specialist for a total of 20=1,100,00 @ 50% Medicaid Match.

Total state cost \$550,000

Housing: 10 Housing subsidies to enable person to live or stay in own home or family home with support @4800.00 per person per year \$48,000

Waiting List for HCBS / DD as of May: Short term 2858  
Long term 3195

## Department of Community Health; FY 2013 Proposed

Annualize the 33 ICWP waivers added in last year's budget  
\$545,543

Unlock supports adding funding to support **130 ICWP  
waivers for people with physical disabilities** in the  
community needing services.

FY 2013 state dollars \$2,149,109

### Legislation: Carried over from previous session

**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 Read Second Time.

**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 Read Second Time.

**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.

**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.

### Legislation Prefiled:

**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 is HB 668.** **Sponsors:** Spencer, 180; Willard, 49; Braddock, 19; Houston, 170.

**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.

### Glossary:

**Appropriation**—a specific amount of money that is intended for use by a specific state program

**DCH**—Department of Community Health

**DD**—Developmental Disabilities

**DHS**—Department of Human Services

**DBHDD**—Department of Behavioral Health & Developmental Disabilities

**DOE**—Department of Education

**DOL**—Department of Labor

**FY**—Fiscal Year

**HB**—House Bill

**HR**—House Resolution

**SB**—Senate Bill

**SR**—Senate Resolution

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### Dates to Remember:

**Substance Abuse Day at the Capitol: January 9th**

**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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