

SECOND REGULAR SESSION

# SENATE BILL NO. 449

96TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR RUPP.

Pre-filed December 1, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

4182S.011

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## AN ACT

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

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*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  
2 section, to be known as section 633.325, to read as follows:

**633.325. 1. On or before December 31, 2013, the department of  
2 mental health shall submit a plan for transitioning the provision of  
3 services for residents of state developmental disabilities facilities,  
4 including intermediate care facilities for the mentally retarded, to the  
5 most integrated settings appropriate to their needs. While developing  
6 the plan, the department shall contract with a reputable independent  
7 third party to conduct a study and develop a plan identifying  
8 mechanisms to serve persons currently living in state institutions in  
9 the community. Upon completion, the plan shall be submitted to the  
10 governor, the senate appropriations committee, the health, mental  
11 health and social services appropriations committee of the house of  
12 representatives, the budget committee of the house of representatives,  
13 and the developmental disabilities advisory council established under  
14 section 633.020.**

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

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

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

21 **(3) Barriers that prohibit the individual from being served in the**

22 community; and

23 (4) A timetable for making the transition.

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

28 3. The plan shall include:

29 (1) An overview of contemporary best practices in serving  
30 individuals with developmental disabilities;

31 (2) Research, data and trends from Missouri and nationwide  
32 regarding residential settings for individuals with developmental  
33 disabilities, including quality of life studies and information compiled  
34 on the desires and preferences of individuals with developmental  
35 disabilities; and

36 (3) Recommendations for permanent full-time state employees  
37 working at such facilities, including other employment opportunities  
38 with the state, the availability of training, and other assistance that  
39 may be required.

40 4. The plan shall identify:

41 (1) Alternative uses for state-owned facility property while  
42 considering economic development opportunities in the community and  
43 providing for the involvement of local residents in determining the  
44 most appropriate use of the property;

45 (2) The total cost, cost savings, and the timeframe for realization  
46 of such cost savings including both operating and any capital costs and  
47 realized savings of implementing the plan recommendations;

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

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

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

58 (6) Any services, including crisis intervention, that would have

59 to be developed or enhanced to successfully support individuals in the  
60 community; and

61 (7) A proposed schedule for implementation of the plan with the  
62 goal of shifting provision of services to the community for every  
63 resident by January 1, 2019.

64 5. All long term admissions to state run intermediate care  
65 facilities for the mentally retarded shall cease upon August 28, 2012.

66 6. Any plans started after August 28, 2012, to build or renovate  
67 state-owned facilities shall not be implemented, entered into contract  
68 to construct, or put out for bid until the completion of the plan.

Unofficial ✓

Bill

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