

# ACF

## Administration for Children and Families

### U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration on Children, Youth and Families

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Disabilities

4. Key Word: Guidance on meeting Statutory Changes

5. Key Word:

#### INFORMATION MEMORANDUM

**TO:** Executive Directors, State Developmental  
Disabilities Councils  
Chairpersons, State Developmental Disabilities  
Councils  
Directors, State Protection and Advocacy Systems

**SUBJECT:** Guidance on Meeting Statutory Changes in Annual  
Report Reporting Requirements - Councils and  
Protection and Advocacy Systems

**LEGAL AND  
RELATED  
REFERENCES:**

Developmental Disabilities Assistance and Bill of  
Rights Act Amendments of 1994, Public Law 103-230  
(42 U.S.C. 6000, et seq.)

Policy Issuance, ADD-PI-92-2, issued 7/31/92,  
Developmental Disabilities Basic State Grant  
Annual Program Performance Report (PPR),  
Instructions and Reporting Format

Policy Issuance, ADD-PI-92-3, issued 10/23/92,  
Developmental Disabilities Protection and Advocacy  
Annual Program Performance Report (PPR),  
Instructions and Reporting Format

**DISCUSSION:** The purpose of this information memorandum is to  
outline how the currently approved annual program  
performance reports formats (ADD-PI-92-2 and ADD-  
PI-92-3 developed before the Amendments) can be  
adapted for reporting fiscal year 1994 activities

and accomplishments pursuant to the 1994 Amendments (Public Law 103-230). The Administration on Developmental Disabilities will be issuing, at a later time, a revised set of formats based on the provisions of the 1994 Amendments.

Paragraphs (a) and (b) of Section 107 of the Act provide the requirements for the annual program performance reports that the State Developmental Disabilities Council and the Protection and Advocacy System are required to submit by January 1 to the Department of Health and Human Services.

The following is procedural guidance to assist State Developmental Disabilities Councils and Protection and Advocacy Systems in responding to Section 107(a) and (b), respectively.

Guidance for State Developmental Disabilities Councils: Some of the changes in Section 107(a) of the Act involve additional information, and other involve changes in emphasis in currently required reporting. Note also that a new requirement is for wide dissemination of the final report. Use the current program performance report format for this year's report, and include the new requirements as follows:

- o paragraph (1) requirements should be reported in Section II-A (Objectives), II-B (Innovative Activities), and II-C (Accomplishments);
- o paragraph (2) requirements should be reported in Section II-C, item 3 (Accomplishments, Relationship with Goals, Objectives, and Activities in State Plan);
- o paragraph (3) requirements should be reported in Section III (Expenditures);
- o paragraph (4) requirements should be reported in Section IV (State Actions on ICF's/MR);
- o paragraph (5)(A) requirements should be reported in Section V-A and Sections V-C to V-F (State Picture: State trends for outcomes for persons with developmental disabilities, and trends in State service provision);

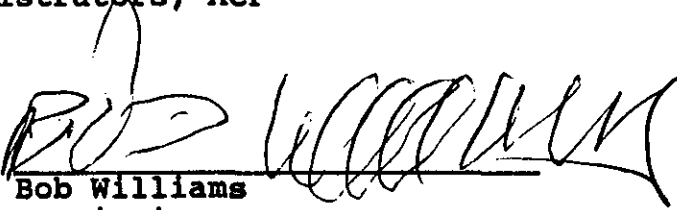
- o paragraph (5)(B) requirements (trends for persons with other disabilities) should be reported in the same section of the format as above for trends for persons with developmental disabilities (Section V-A and Sections V-C to V-F);
- o paragraph (5)(C) requirements should be reported in Section V-B (State Picture: Actions for Unserved/Underserved);
- o paragraph 6 requirements (annual report dissemination methods) should be reported as an appendix to the end of the report.
- o paragraph 7 requirements (annual report dissemination methods) should be reported as an appendix to the end of the report.

Please note that some State Developmental Disabilities Councils in the past, in an effort to meet the requirements regarding State trends, have instead reported on their own efforts. This requirement is intended as an opportunity for you to describe trends, emerging issues, and conditions in your State, which may require State Developmental Disabilities Council intervention, and may or may not reflect State Developmental Disabilities Council activities or impact.

Guidance for Developmental Disabilities Protection and Advocacy Systems: The current format is appropriate for the new reporting requirements. The priorities for the previous year should be included in the Narrative Section, along with procedures for obtaining public input, and the nature and use of that public input.

ATTACHMENT: Section 107, paragraphs (a) and (b), as amended

INQUIRIES TO: Regional Administrators, ACF  
Regions I-X

  
Bob Williams  
Commissioner  
Administration on Developmental  
Disabilities

cc: See Attached List

Copy Recipients

Regional Administrators, Regions I-X

Director, Regional Operations Staff, ACF

Regional Directors, Office of State Programs,  
Regions I-X

Executive Director, National Association of Developmental  
Disabilities Councils

Executive Director, National Association of Protection and  
Advocacy Systems

Developmental Disabilities Assistance and Bill of Rights Act  
Sec. 107, paragraphs a and b

(a) DEVELOPMENTAL DISABILITIES COUNCIL REPORTS.--By January 1 of each year, each State Developmental Disabilities Council shall prepare and transmit to the Secretary a report of activities carried out during the preceding fiscal year with funds paid to the State under part B for such fiscal year. Each report shall be in a form prescribed by the Secretary by regulation and shall contain--

- (1) a description of activities and accomplishments ;
- (2) a comparison of accomplishments with the goals, objectives, and proposed activities specified in the State plan submitted under section 122 for such fiscal year;
- (3) an accounting of the manner in which funds paid to a State under part B for a fiscal year were expended;
- (4) a description of the State Developmental Disabilities Council's response to significant actions taken by the State with respect to any intermediate care facility for the mentally retarded in such State, and with respect to annual survey reports prepared pursuant to section 1902(a)(31) of the Social Security Act and correction or reduction plans prepared pursuant to section 1922 of such Act;

(5) a description of--

(A) the trends and progress made in the State concerning systemic change (including policy reform), capacity building, advocacy, and other actions on behalf of individuals with developmental disabilities, with attention to individuals who are traditionally unserved and underserved, including individuals who are members of ethnic and racial minority groups, and individuals from underserved geographic areas;

(B) systemic change, capacity building, and advocacy activities that affect individuals with disabilities other than developmental disabilities; and

(C) a summary of actions taken to improve access and services for unserved and underserved groups;

(6) a description of resources leveraged by activities directly attributable to State Developmental Disabilities Council actions; and

(7) a description of the method by which the State Developmental Disabilities Council shall widely disseminate the annual report to affected constituencies as well as the general public and to assure that the report is available in accessible formats.

(b) PROTECTION AND ADVOCACY SYSTEM REPORTS.--By January 1 of each year, each protection and advocacy system established in a State pursuant to part C shall prepare and transmit to the Secretary a report which describes the activities, accomplishments, and expenditures of the system during the preceding fiscal year, including a description of the system's priorities for such fiscal year, the process used to obtain public input, the nature of such input, and how such input was used.