

# ACF

Administration  
for Children  
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U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration on Developmental Disabilities

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6.

7.

PROGRAM INSTRUCTION

TO: Directors, Designated State Agencies  
Chairpersons, State Planning Councils  
Executive Directors, State Planning Councils

SUBJECT: Three Year State Plan Guidelines for Fiscal Years  
1992 - 1994

LEGAL AND  
RELATED

REFERENCES: The Developmental Disabilities Assistance and Bill  
of Rights Act, P.L. 101-496 (42 U.S.C. 6000, et  
seq.)

45 CFR Parts 1385 and 1386, amended November 20,  
1989 (54 FR 47982)

CONTENT: Attached is a copy of the Three Year State Plan  
guidelines approved by the Office of Management  
and Budget (OMB) for the Three Year State Plan  
covering Fiscal Years 1992 through 1994.

These guidelines supersede the Fiscal Year 1990-  
1991 Two Year Transitional State Plan Guidelines.  
[Refer to ADD Information Memoranda IM-88-5, dated  
July 21, 1988 and IM-89-2, dated May 1, 1989,  
subject Two Year Transitional State Plan  
Guidelines.]

Page 2 - Program Instruction

While the Two-Year State Plan Guidelines bridged the period of transition during which Councils conducted a variety of activities mandated by Public Law 100-146, Section 122(f), the new Three Year State Plan Guidelines ask the State Planning Councils to resume three-year planning.

The attached Guidelines incorporate changes in State Plan requirements based on the provisions of the Developmental Disabilities Assistance and Bill of Rights Act of 1990, provide for Councils to analyze and address the findings and recommendations contained in their State "1990 Reports", and reflect the increased autonomy of State Planning Councils.

ADD earlier provided a draft of these Guidelines for your use in developing the Fiscal Year 1992-1994 State Plan pending Department and OMB approval of the official version. The attached Guidelines now incorporates these clearances. Please use these Guidelines in developing your State Plan Amendments for FY 1994 and submit the Amendments to the appropriate Regional Office by August 15, 1993.

The State Plan must comply with the requirements of the Act and the attendant regulations referenced above.

Please contact your Regional Office should you require further assistance in developing your State Plan Amendments.

ATTACHMENT: Three Year State Plan Guidelines

EFFECTIVE  
DATE: Date of Issuance.

Page 3 - Program Instruction

INQUIRIES TO: Ray Sanchez  
Director  
Division of Program Operations  
Telephone: (202) 690-5962

*Will Wolstein*

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Will Wolstein  
Acting Commissioner  
Administration on Developmental  
Disabilities

Copy To: Regional Administrators, ACF/DHSS  
National Association of Developmental Disabilities  
Planning Councils (NADDC)

**THE DEVELOPMENTAL DISABILITIES ASSISTANCE AND  
BILL OF RIGHTS ACT OF 1990**

**PART B**

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**Federal Assistance  
for Planning Priority Area Activities  
for Persons with Developmental Disabilities**

**THREE YEAR STATE PLAN GUIDELINES**  
*Fiscal Years 1992-1994*

***Administration on Developmental Disabilities***

## **INTRODUCTION**

**Any State desiring to receive Federal funds to assist in the development of a comprehensive system and coordinated array of services and other assistance for persons with developmental disabilities and their families must submit a State Plan. The approved State Plan is the basis upon which a state will participate in programs and activities under Title I, Part B of the Act. Failure to comply with State Plan requirements may result in loss of Federal funds.**

**The Three Year Plan is a presentation of the State's review of the existing service delivery system for the provision of assistance and services to persons with developmental disabilities and their families. The Three Year Plan will reflect planning, financial support and coordination to appropriately address, on a statewide and comprehensive basis, urgent needs of persons with developmental disabilities and their families.**

**Each State will continue to address employment as a Federal priority area and may include the other Federal priority areas (i.e., community living, child development, and system coordination and community education) and any one State priority area as determined by the State, and will build on the findings and recommendations incorporated in the state's 1990 Report.**

**The Three Year State Plan will be effective October 1, 1991 for Federal Fiscal Years 1992, 1993, and 1994. The State Plan shall be submitted to the appropriate Regional Office no later than August 15, 1991 to provide Regional Office staff sufficient time to review and negotiate changes, as needed. Annual amendments to the Three Year Plan will be required. The Office of Management and Budget (OMB) has approved this document, OMB#0980-0162; Expiration Date 07/31/95.**

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## **PURPOSES**

**THE STATE PLAN ON DEVELOPMENTAL DISABILITIES IS DEVELOPED IN ORDER TO:**

- o Provide assistance to State Developmental Disabilities Planning Councils and other State officials involved in the review and preparation of a State Plan under the requirements of the Developmental Disabilities Assistance and Bill of Rights Act, P.L. 101-496, Part B, "Federal Assistance for Planning Priority Area Activities for Persons With Developmental Disabilities";**
- o Advise citizens of each State about the Developmental Disabilities Basic State Grant Program, its goals, objectives, activities, programs and procedures, to enable them to participate in the planning process and to be knowledgeable about the manner in which the State Developmental Disabilities Program operates; and**
- o Provide the Administration on Developmental Disabilities and the Secretary of Health and Human Services with reliable, useful information upon which to base current and future national policy regarding the Basic State Grant Program and the needs of people with developmental disabilities and their families.**

## STATE PLAN REQUIREMENTS

Following is a list of information for the 1992-1994 Three Year State Plan required by the Act under Section 122. Legislative references for information required are provided in the left-hand column, and paraphrased descriptions of the information required are provided in the right-hand column.

<b>Section 122(b)</b>	<b>REQUIRED INFORMATION</b> (Passages are paraphrased; not direct quotations)
(1)(A)	...provide for the establishment of a State Planning Council in accordance with Section 124
(1)(B)	...designate the State agency which, on behalf of the State, shall receive, account for, and disburse funds and which shall provide required assurances and other administrative support services
(1)(C)	...provide that the State agency designated under subparagraph (B) keep such records and provide such access to those records as the Secretary or State Planning Council finds necessary.
(1)(D)	...provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of and accounting for funds...
(2)(A) & (B)	...set out the specific objectives to be achieved under the plan and a listing of the programs, activities, and resources to be used, including the non-Federal share of funds required to carry out each objective and program...
(2)(C)(i)	...describe the extent and scope of services, supports and other assistance being provided, or to be provided, to persons with developmental disabilities under such other State plans, or policies affecting, Federally-assisted State programs that



**the State conducts and in which persons with developmental disabilities are or may be eligible to participate, including programs relating to:**

- education
- job training
- vocational rehabilitation
- public assistance
- medical assistance
- social services
- child welfare
- maternal and child health
- aging
- programs for children with special health care needs
- housing
- transportation
- technology
- comprehensive health and mental health, and
- such other programs as the Secretary may specify...

**(2)(C)(ii) ...describe the extent to which such Federally-assisted State programs develop and pursue interagency initiatives aimed at improving and enhancing services, supports and other assistance, which result in increased independence, productivity, and integration into the community for persons with developmental disabilities...**

**(2)(C)(iii) ...describe how funds allotted to the State...will be used to complement and augment rather than duplicate or replace services for persons with developmental disabilities who are eligible for Federal assistance under other State programs...**

**(2)(D) ...assess, and if appropriate, update the findings of the report conducted pursuant to subsection (f), and report on any progress achieved concerning issues identified in the report conducted pursuant to such subsection in the previous fiscal year...**

- (2)(E) ...assess and describe the extent and scope of the Federal and State priority areas which are addressed or which will be addressed under the plan in the fiscal year...
- (2)(F) ...establish a method for periodic evaluation of the plan's effectiveness in meeting the objectives described in paragraph (A).
- (4)(A) ...contain or be supported by assurances satisfactory to the Secretary that funds paid to the State under Section 125 will be used to make a significant contribution toward enhancing the independence, productivity, and integration into the community of persons with developmental disabilities through agencies in the various political subdivisions of the State...
- (4)(B) ...contain or be supported by assurances satisfactory to the Secretary that part of such funds will be made available by the State to public or nonprofit private entities...
- (4)(C) ...contain or be supported by assurances satisfactory to the Secretary that not more than 25% of such funds will be allocated to the agency designated under section 122(b)(1)(B) for the provision of services by such agency...
- (4)(D) ...contain or be supported by assurances satisfactory to the Secretary that such funds paid to the State under Section 125 will be used to supplement and to increase the level of funds that would otherwise be made available for the purposes for which Federal funds are provided and not to supplant such non-Federal funds...
- (4)(E) ...contain or be supported by assurances satisfactory to the Secretary that there will be reasonable State financial participation in the cost of carrying out the State plan...
- (5)(A) ...provide for the examination, not less than once every three years, of the provision, and the need for the provision, in the State of the four Federal priority areas and the State priority area...

- (5)(B)** ...provide for the review and revision, not less often than once every three years, of the comprehensive statewide plan to ensure:
- appropriate planning
  - financial support
  - coordination and
  - otherwise appropriately address... urgent needs in the State for the provision of services for persons with developmental disabilities and the families of such persons...and...
- take into account the reviews and analyses conducted, and report prepared, under subsection (f)...including at a minimum:
- (5)(B)(i)** ...an analysis of such priority areas in relation to limited support or lack of support for persons with developmental disabilities attributable to either physical impairment, mental impairment, or a combination of physical and mental impairments...
- (5)(B)(ii)** ...an analysis of criteria for eligibility for services, including specialized services and special adaptation of generic services provided by agencies within the State, that may be causing persons with developmental disabilities to be excluded from receiving such services...
- (5)(B)(iii)** ...an analysis of the special and common needs of all subpopulations of persons with developmental disabilities...
- (5)(B)(iv)** ...consideration of the report conducted pursuant to subsection (f)...
- (5)(B)(v)** ...an analysis of services, assistive technology, or knowledge which may be unavailable to assist persons with developmental disabilities...

**(5)(B)(vi) ...an analysis of existing and projected fiscal resources...**

**(5)(B)(vii) ...an analysis of any other issues identified by the State Planning Council...and**

**(5)(B)(viii) ...the formulation of objectives in both policy reform and service demonstration to address the issues described in (i) through (v) for all subpopulations of persons with developmental disabilities which may be identified by the State Planning Council...**

**(5)(C) ...developed plan after consideration of the data collected by the State education agency under section 618(b)(3) of the Education of the Handicapped Act...**

**(5)(D)(i) ...provide that not less than 65 percent of the amount available to the State under section 125 will be expended for:**

- activities in the Federal priority area of employment activities, and, at the discretion of the State,**
- activities in any or all of the three other Federal priority areas,**
- a State priority area**
- the conduct of the analyses specified in clauses (i) through (v) of subparagraph B, and**
- activities which address the implementation of recommendations made in the report described in subsection (f), including recommendations which address unserved and underserved populations...**

**(5)(D)(ii) ...provide that the remainder of the amount available to the State from allotments under Section 125 (after making the expenditures required by clause (i) of this paragraph) shall be used for the planning, coordination, and the advocacy for, persons with developmental disabilities...**

- (5)(E) ...provide that special financial and technical assistance shall be given to agencies or entities providing services for persons with developmental disabilities who are residents of geographical areas designated as urban or rural poverty areas...
- (6)(A)(i) ...provide that programs, and the facilities in which they are operated, under the plan for persons with developmental disabilities will be in accordance with standards prescribed by the Secretary in regulations....
- (6)(A)(ii) ...provide satisfactory assurances that buildings used in connection with the programs assisted under the plan will meet the standards adopted pursuant to the Act of August 12, 1968 (known as the Architectural Barriers Act of 1968)...
- (6)(B) ...provide that services are provided in an individualized manner consistent with the requirements of Section 123 (HABILITATION PLANS)...
- (6)(C) ...contain or provide satisfactory assurances that the human rights of all persons with developmental disabilities (especially those persons without familial protection) who are receiving treatment, services, or habilitation under programs assisted under this part of the Act will be protected consistent with Section 110 (RIGHTS OF THE DEVELOPMENTALLY DISABLED)...
- (6)(D) ...provide assurances that the State has undertaken affirmative steps to assure that participation in programs...of individuals generally representative of the population of the State, with particular attention to the participation of members of minority groups...

- (6)(E) ...provide assurances that the State will provide the State Planning Council with a copy of each annual survey report and plan of corrections for cited deficiencies prepared pursuant to section 1902(a)(31)(B) of the Social Security Act with respect to any intermediate care facility for the mentally retarded in such State within 30 days after the completion of each such report or plan...
- (7)(A) ...provide for the maximum utilization of all available community resources including volunteers serving under the Domestic Volunteer Service Act of 1973 and other appropriate voluntary organizations, except that such volunteer services shall supplement, and shall not be in lieu of, services of paid employees...
- (7)(B) ...provide for fair and equitable arrangements (as determined by the Secretary after consultation with the Secretary of Labor) to protect the interests of employees affected by actions under the plan to provide community living activities, including arrangements designed to preserve employee rights and benefits and to provide training and retraining of such employees where necessary and arrangements under which maximum efforts will be made to guarantee the employment of such employees...
- (8) ...contain such additional information and assurances as the Secretary may find necessary.

**DEVELOPMENTAL DISABILITIES  
THREE YEAR STATE PLAN  
*FISCAL YEARS 1992 - 1994***

\_\_\_\_\_  
**Fiscal Year**

\_\_\_\_\_  
**State**

**Prepared and Submitted by The State Developmental  
Disabilities Planning Council**

***(In Consultation with the Designated State Agency)***

\_\_\_\_\_  
**Council Chairperson**

\_\_\_\_\_  
**Council Executive Director**

**Date Submitted:** \_\_\_\_\_

# THREE YEAR STATE PLAN GUIDELINES

Following are the guidelines and optional format for preparing and submitting the Developmental Disabilities Three Year State Plan. They have been developed to assist states and territories in the development and submission of approved State Plans. The format is organized by sections and includes instructions and tables to facilitate reporting. Should a state or territory decide to use its own format, the State Plan submitted must contain the legislatively required information and assurances listed on Pages iii through viii and identified by bracketed statutory citations [ ] throughout the document. Selected provisions are paraphrased and highlighted for emphasis.

## SECTION I.

### DEVELOPMENTAL DISABILITIES: Definition and Impact

#### A. General Statement

Provide an opening section with a general statement summarizing the philosophy of your State's program in addressing the needs of persons with developmental disabilities and the inclusion of all persons with developmental disabilities, including persons with the most severe disabilities, in community life.

#### B. State's Application of the Federal Definition

1. Describe the way your State applies and/or implements the Federal definition for use under Part B of the Act which is commonly referred to as the Basic State Grant (BSG) Program. You may include sections of your State's developmental disability law or executive order, if applicable; guidelines developed for direct service providers funded under this program; and other relevant descriptive information.



2. **Include the definition of developmental disabilities used by the primary state agency which provides services and other assistance to persons with developmental disabilities and mental retardation. If the agency is solely a mental retardation agency, so state and describe.**

**Please note that Section 102(5)(E) of the Act expands the definition of the term developmental disabilities to state that such term, when applied to infants and young children means individuals from birth to age 5, inclusive, who have substantial developmental delay or specific congenital or acquired conditions with a high probability of resulting in developmental disabilities if services are not provided. In recognizing that an infant or young child may have conditions which place them at high risk for developmental disabilities, Congress intended that application of the definition ensure the availability of early intervention services so as to mitigate against or minimize the impact of any subsequent developmental disability.**

**C. State Prevalence of Developmental Disabilities**

**Provide the estimated prevalence of developmental disabilities in your State. State level prevalence rates may be extrapolated from national prevalence rates, such as the 1.8% estimate by Gollay and Associate. Should you elect this option, prevalence rates for sub-state areas are not required.**

**You may elect to provide estimates based on state-generated data, provided you specify the basis for your estimate. If State data are available, figures for State and sub-state regions would be useful. (If you select this option, you may wish to attach illustrative charts.)**

**D. Affect of Developmental Disabilities on Individuals, Their Families, and Their Communities**

**Provide a description of the State service delivery system as it impacts people with developmental disabilities, including those with severe disabilities, and their families. Provide information about the positive and negative impact on**

independence, productivity, and community integration and about persons who are unserved and underserved and the role of the State Plan in addressing critical barriers and issues, particularly those identified through the comprehensive review and analysis and consumer survey conducted in response to Section 122(f).

## **SECTION II. DD PROGRAM ORGANIZATION AND ROLE**

Section 122(b)(1)(A)...provide for the establishment of a State Planning Council in accordance with Section 124...

### **A. State Planning Council**

1. Cite the date and authority by which the State Planning Council was established. (See Sec. 122(b)(1)(A)).
2. Provide an organizational chart depicting Council staff, the location of the Council within state government, and the location of the Designated State Agency with respect to the Council.
3. Provide the name, title, current mailing address and telephone number of (a) the Chairperson and (b) the Executive Director of the State Planning Council.
4. Complete Columns (2), (3), (4), and (5) on Table IA, "State Planning Council Composition." (See Table IA attached.)

In Column (2), enter the name of each member of the Council under the appropriate Federal Statutory Member categories provided in Column (1). Names may appear more than once if a person represents more than one agency or category. In Column (3), enter the date of appointment, and in Column (4), enter the date the appointment expires. Use Column (5) to explain any circumstances (i.e., staff vacancies, nomination pending, officer of Council, etc.) that may be helpful in certifying full compliance with the State Planning Council composition requirements of the Act. (See Sec. 124(b)).

**5. Role of the Developmental Disabilities Planning Council**

**Describe the role of the Developmental Disabilities Planning Council in your State. This discussion should reflect the substantially strengthened role of the Council, its greater autonomy, and its responsibility for administering the State Plan as an advocate for public policy change and community acceptance of all people with developmental disabilities and their families.**

**6. Include a list of Council staff, including names, titles and description responsibilities.**

**B. Designated State Agency**

**Section 122(b)(1)(B)...designate the State agency which, on behalf of the State, shall receive, account for, and disburse funds...based on the State plan required in Section 122, and shall provide required assurances and other administrative support services...**

**Section 122(b)(1)(C)...provide that the State agency designated under subparagraph (B) keep records and provide access to such records...**

- 1. Identify the Designated State Agency (and date) established in accordance with Section 122(e).**
- 2. Provide the name, title, current mailing address and telephone number of the responsible state official of the Designated State Agency. If, through administrative or other arrangement, more than one agency is designated to perform the functions described under Section 122(b)(1)(B), briefly delineate the responsibilities of each.**
- 3. Present the organizational structure of the Designated State Agency and include the location of the State Developmental Disabilities Planning Council.**
- 4. Does the Designated State Agency provide direct services to be supported with Federal funds under the Developmental Disabilities Act? If yes, describe those services.**

5. Describe the role and responsibilities of the Designated State Agency as they affect Council operations, the approved State Plan, and the Council's administration of priority area activities. Include a description of systems of fiscal control and funds accounting, recordkeeping and access to records to assure proper disbursement and accounting of Part B funds. For clarification, elaborate where appropriate and quote from Federal and State empowerments. (See Section 122(b)(1)(C) and Section 122(b)(1)(D)).
6. Provide a list of Designated State Agency staff assigned to the Developmental Disabilities Program. Include names, titles, description of responsibilities, and provide the office address and telephone number.

C. State Context

1. Describe the environment in which the Developmental Disabilities Program operates within the State--the mix of institutional, community, and family living arrangements and the relevant support systems for each which are currently in place to provide the scope of diagnostic treatment, habilitation, residential and other services and supports to persons with developmental disabilities and their families in the state. Discuss types of environmental factors (i.e., economic, social, etc.) which affect program enhancements for persons with developmental disabilities. Include a description of the Council's role within this structure. Where applicable, describe the state's progress toward improving service delivery through the provision of special adaptations of generic services or specialized services or other assistance.
2. Discuss the major long-range issues which the Council is or will be addressing, including those identified in the Council's report prepared under Section 122(f). Describe how political, economic, social and other factors influence (positively or negatively) the timing, outcome, etc. of decisions on these issues.

**D. Scope of Services**

Section 122(b)(2)(C)(i)...describe the extent and scope of services, supports and other assistance being provided, or to be provided, to persons with developmental disabilities under such other State plans, or policies affecting, Federally-assisted State programs that the State conducts and in which persons with developmental disabilities are or may be eligible to participate...

List the State agencies and programs responsible for each of the Federally-assisted programs named in Section 122 and provide a summary of the strengths and weaknesses in services delivery by those agencies to people with developmental disabilities. Include a discussion about eligibility criteria and type of services provided.

**SECTION III. STATE PLAN REVIEW PROCESS**

**A. Review of Existing State Plan**

Section 122(b)(5)(B)...provide for the review and revision, not less often than once every three years, of the comprehensive statewide plan to ensure appropriate planning, financial support, coordination and otherwise appropriately address...urgent needs in the State for the provision of services for persons with developmental disabilities and the families of such persons...and take into account...the reviews and analyses conducted, and report prepared, under subsection (f) and clauses (i) through (viii) under this subsection...

1. Describe the review of the existing State Plan to address, on a statewide and comprehensive basis, the urgent needs in the State for persons with developmental disabilities and their families. (See Section 122(b)(5)(B)). As part of this review, include:

- a. an analysis of priority areas in relation to limited support or lack of support for persons with developmental disabilities attributable to either physical impairment, mental impairment, or a combination of physical and mental impairments (See Section 122(b)(2)(E) and Section 122(b)(5)(B)(i));
  - b. an analysis of the criteria for eligibility for services, including specialized services and special adaptation of generic services provided by agencies within the State, that may be causing persons with developmental disabilities to be excluded from receiving such services [Section 122(b)(5)(B)(ii)];
  - c. an analysis of the special and common needs of all subpopulations of persons with developmental disabilities [Section 122(b)(5)(B)(iii)];
  - d. consideration of the report conducted pursuant to subsection (f) [Section 122(b)(2)(D) and Section 122(b)(5)(B)(iv)];
  - e. an analysis of services, assistive technology, or knowledge which may be unavailable to assist persons with developmental disabilities [Section 122(b)(5)(B)(v)];
  - f. an analysis of existing and projected fiscal resources [Section 122(b)(5)(B)(vi)];
  - g. an analysis of other issues identified by the State Planning Council [Section 122(b)(5)(B)(vii)];
  - h. formulation of objectives in both policy reform and service demonstration to address the issues for all sub-populations of persons with developmental disabilities which may be identified by the State Planning Council [Section 122(b)(5)(B)(viii)]; and
  - i. consideration of data collected by the State education agency under section 618(b)(3) of the Education of the Handicapped Act [Section 122(b)(5)(C)].
2. Describe the process that provides for the monitoring, review, and evaluation of the State Plan, not less often than annually, by the State Planning Council. Also describe the method for periodic evaluation of the plan's effectiveness in meeting established objectives. [Sec. 122(b)(2)(F)] [Sec. 124(d)(2)]

**B. Review of Other State Plans**

- 1. List other state plans, or policies, reviewed and describe any significant findings regarding the extent and scope of services, supports or other assistance provided or to be provided to persons with developmental disabilities and their families and their impact on the increasing the independence, productivity and integration into the community of persons with developmental disabilities. Programs to be reviewed by Councils include, but need not be limited to, those related to education, job training, vocational rehabilitation, public assistance, medical assistance, social services, child welfare, maternal and child health, aging, programs for children with special health care needs, early intervention programs, housing, transportation, technology, comprehensive health and mental health. Reviews should not be limited only to those programs with state plans. Pay special attention to adoption, foster care and child protective service system plans as they relate to the provision of services to children with developmental disabilities. [Sec. 122(b)(2)(C)(i)]**
- 2. Describe the extent to which Federally assisted State programs develop and pursue interagency initiatives aimed at improving and enhancing services, supports and other assistance which results in increased independence, productivity, and community integration. [Sec. 122(b)(2)(C)(ii)]**
- 3. Describe how funds allotted to the State under Part B, Section 125 of the Act, will be used to complement and augment rather than duplicate or replace services for persons with developmental disabilities who are eligible for Federal assistance under other state programs. [Sec. 122(b)(2)(C)(iii)]**

**C. 1990 Report Update: Statewide Service Delivery System Review**

Section 122(b)(2)(D)...assess, and if appropriate, update the findings of the report conducted pursuant to subsection (f), and report on any progress achieved concerning issues identified in the report conducted pursuant to such subsection in the previous year...

Provide information updating the findings of your state report prepared pursuant to the activities performed under Section 122(f) of the Act, and relate any progress in addressing recommendations relative to barriers and issues identified in the report. Include a description of the Council's use of state 1990 report findings and updating in developing the State Plan goals and objectives. [Sec. 122(b)(2)(D)]

**SECTION IV. STATE PLAN**

**A. Priority Areas**

Section 102...The term "Federal priority areas" means community living activities, employment activities, child development activities, and system coordination and education...The term "State priority area" means priority area activities in an area considered essential by the State Planning Council...

1. List each Priority Area to be addressed in your State Plan.
2. Provide the rationale for the selection of Priority Area activities.



**Section 102(12)...The term "community living activities" means such priority area activities as will assist persons with developmental disabilities in developing or maintaining suitable residential arrangements and supports in the community (including nonfinancial supports, and individual, family and community supports...**

**Section 102(15)...The term "child development activities" means such priority area activities as will assist in the prevention, identification, and alleviation of developmental disabilities in children, including early intervention services...**

**Section 102(13)...The term "employment activities" means such priority area activities as will increase the independence, productivity, or integration of a person with developmental disabilities in work settings...**

**Section 102(27)...The term "system coordination and community education activities" means activities that...eliminate barriers to access and eligibility for services, supports, and other assistance...enhance systems design and integration including the encouragement of the creation of local case management and information and referral statewide systems...enhance individual, family and citizen participation and involvement..."**

## **11B. Goals and Objectives**

**Section 122(b)(2)(A)...set out the specific objectives to be achieved under the plan and a listing of the programs, activities, and resources to be used to meet such objectives...**

- 1. Using Tables II-A ("Plan Year Objectives") and II-B ("Later Year Objectives"), or similar format, identify your State's Three Year Plan Goals and Objectives. Goals should be derived from major issues and trends previously described in the State Plan and should be stated in sufficiently broad terms to accommodate the achievement of shorter-term objectives and priority area activities.**
- 2. Under each goal, identify (three-year, two-year and plan year) policy reform, systemic change, and service demonstration objectives.**
- 3. For plan objectives, identify the activities, programs, and resources to be used to meet such objectives. These should correspond to the Federally mandated Employment Priority Area and other Federal and State Priority Area activities, as selected by the Council to address identified issues and trends. As appropriate, include program impact indicators. Complete Tables II-A & B for each objective listed. [Section 122(b)(2)(A)]**

## **C. Projects and Programs**

- 1. List all existing and planned model demonstrations and other projects or programs funded by the State Planning Council, and provide the approximate level of funding to be allocated for each. Provide the following information for each project supported with Part B, Section 125 funds:**

**Project Name and Number:**

**Purpose/Description:**

**Project Period (Start Year/End Year):**

**Current Year Funding:   Federal Funds   Matching   Total**

**2. Provide timeframes and strategies for continuing successful demonstration projects through sources of funding other than funds provided under the Act. [Section 102(9)(C)]**

## **SECTION V. ASSURANCES**

### **A. Program Related**

- 1. Provide assurance that the State Plan has been developed in consultation with the Designated State Agency identified under Section 122(b)(1)(B). [Section 124(d)(1)]**
- 2. Provide assurance that special financial and technical assistance is provided to agencies or entities providing services for persons with developmental disabilities who are residents of geographical areas designed as urban or rural poverty areas. [Section 122(b)(5)(E) and 45 CFR 1386.30(a)]**
- 3. Provide assurance that funds paid to the State under Section 125 of the Act will be used to make a significant contribution toward enhancing the independence, productivity, and integration into the community of persons with developmental disabilities. [Section 122(b)(4)(A) and 45 CFR 1386.30(a)]**
- 4. Provide assurance that part of funds paid to the State under Section 125 will be made available by the State to public and nonprofit private entities. [Section 122(b)(4)(B)]**
- 5. Provide assurance that each program (including programs of any agency, facility, or project): (a) has in effect a habilitation plan for each person with developmental disabilities who receives services from or under the aegis of the Basic State Grant Program and (b) establishes policies and procedures to review annually each habilitation plan in accordance with the procedures set forth in Section 123(c) of the Act. [Section 123 and 45 CFR 1386.30(e)]**
- 6. Provide assurance that any services provided under the plan are provided in an individualized manner. [Section 122(b)(6)(B) and Section 123]**
- 7. Provide assurance that the human rights of all persons with developmental disabilities (especially those without familial protection) who are receiving**

treatment, services or habilitation under programs assisted under Part B of the Act will be protected consistent with Section 110 (relating to the rights of persons with developmental disabilities). [Section 122(b)(6)(C) and 45 CFR 1386.30(e)(3)]

8. Provide assurance that the State has undertaken affirmative steps to assure that participants in programs under this part of the Act are individuals generally representative of the population of the State, with particular attention to the participation of members of minority groups. [Section 122(b)(6)(D) and 45 CFR 1386.30(a)]
9. Provide assurance that the State Planning Council prepares and approves a budget using amounts paid to the State under Section 125 to fund all activities and to hire such staff and obtain the services of such professional, technical, and clerical personnel (consistent with State law) as the State Planning Council determines to be necessary to carry out its functions under Part B of the Act. [Section 124(c)(1)]
10. Provide assurance that the Plan provides for the maximum utilization of available community resources, including volunteers serving under the Domestic Volunteer Service Act of 1973 and other appropriate voluntary organizations, to supplement services of paid employees. [Section 122(b)(7)(A) and 45 CFR 1386]
11. Provide assurance that, if Community Living arrangements was selected, there is in effect a plan which reflects fair and equitable arrangements to protect the interests of employees affected by actions to provide community living activities under this Plan, if any, including arrangements designed to preserve employee rights and benefits, to provide training and retraining of such employees where necessary, and that maximum efforts will be made to guarantee the employment of such employees. [Section 122(b)(7)(B)]

**B. Administrative**

- 1. Provide assurance that the designated State agency will keep such records and provide access to such records as determined necessary by the Secretary, U.S. Department of Health and Human Services or the State Planning Council. [Section 122(b)(1)(C) and 45 CFR 1386.30(a)]**
- 2. Provide assurance that such fiscal control and accounting procedures as may be necessary to assure the proper disbursement of and accounting for funds are in place. [Section 122(b)(1)(D), 45 CFR 1386.30(a) and 45 CFR 1386.31]**
- 3. Provide assurance that not more than 25% of funds paid to the State under Section 125 will be allocated to the Designated State Agency for the provision of services by the Designated State Agency meeting the requirements of Section 122(e) of the Act. [Section 122(b)(4)(C) and 45 CFR 1386.30(a)]**
- 4. Provide assurance that funds paid to the State under Section 125 of the Act will be used to supplement and to increase the level of funds that would otherwise be made available for the purposes for which Federal funds are provided and not to supplant such non-Federal funds. [Section 122(b)(4)(D) and 45 CFR 1386.30(a)]**
- 5. Provide assurance that there will be reasonable State financial participation in the cost of carrying out the State Plan. [Section 122(b)(4)(E) and 45 CFR 1386.30(a)]**
- 6. Provide assurance that programs and facilities operated under the Plan meet Federal regulatory standards. [Section 122(b)(6)(A)(i) and 45 CFR 1386.30(a)]**
- 7. Provide assurance that buildings used in connection with the programs assisted under the Plan will meet standards adapted pursuant to the Architectural Barriers Act of 1968. [Section 122(b)(6)(A)(ii) and 45 CFR 1386.30(a)]**

- 8. Provide assurance that the State will provide the State Planning Council with a copy of each annual survey report and plan of correction for cited deficiencies prepared pursuant to section 1902(a)(31)(B) of the Social Security Act with respect to any intermediate care facility for the mentally retarded in such State within 30 days after the completion of each such report or plan. [Section 122(b)(6)(E) and 45 CFR 1386.30(a)]**
- 9. Provide assurance that, consistent with State law, the Planning Council hires a Director of the State Planning Council who shall be supervised and evaluated by the State Planning Council and who shall hire and supervise the staff of the State Planning Council. [Section 124(c)(2) and 45 CFR 1386.30(e)(4)]**
- 10. Provide assurance that the staff and other personnel of a State Planning Council, while working for the State Planning Council, shall be responsible solely for assisting the State Planning Council in carrying out its duties under the Act and shall not be assigned duties by the Designated State Agency or any other agency or office of the State. [Section 124(c)(3)]**
- 11. Provide assurance that each State Planning Council shall submit to the Secretary, through the Governor, such periodic reports on its activities as the Secretary may reasonably request, and keep such records, and afford such access thereto as the Secretary finds necessary to verify such reports. [Section 124(d)(4)]**

## **SECTION VI. BUDGET DATA**

Once each year a projected budget is required as part of the State Plan. The required budget data are shown in Table III ("Priority Area & Mandated (PAM) Activities Projected Funding Plan Break-out") and in Table IV ("Basic State Grant Projected Funding Plan"). These tables are provided for Council use in submitting projected budget data. However, a different format may be used as long as all of the required budget data are provided. Councils are asked to provide the best available budget data projections by August 15 of the preceding Plan year (Federal fiscal year).

### **A. Table III: "Priority Area & Mandated Activities Projected Plan Breakout"**

This table provides a format for budget data projections by Priority Area and other Mandated Activities. Provide total projected funding for each item in lieu of breaking out Federal and State shares. Funding must be planned for activities under the Federal priority area of employment. In addition, in one of the three Plan years, the Section 122(b)(5)(i-vii) analyses must be funded.

### **B. Table IVr: "Basic State Grant Projected Funding Plan Break-out"**

This table provides a format for budget data projections by Federal and State (Recipient) shares. The table provides for budget data by Priority Area and Mandated (PAM) Activities in Poverty and Non-Poverty areas and by Other Activities of Planning, Coordination and Advocacy. It also provides for the designated State agency function budget projection. The Federal share of total PAM activities must be at least 65% of the Federal allotment as required by Section 122(b)(5)(D)(i). Total Recipient Share must equal the sum of one-third of Federal funding for PAM activities in non-poverty areas and one-ninth of Federal funding for PAM activities in poverty areas. Note that the necessary match requirement can be calculated using the optional worksheet at the bottom of Table IV. This match is aggregated match and need not represent match contributed by any particular agency or organization, except for the designated State agency match. Match may be in-kind. Federal funding for the designated State agency function must be matched by an equal or better participation from the designated State agency [Section 122(d)(1)]. Federal funding for the designated State agency function shall be no more than 5% of



the projected Federal allotment or \$50,000, whichever is less [Section 122(d)(1)]. If a portion of the State's allotment is used to pay a portion of the expenses of the State designated agency, the State's share of designated State agency funding must not be less than the amount expended from State sources for administration of the State plan during the previous year. Total Federal funding for the designated State agency, as prescribed by Section 122(b)(4)(C), shall not exceed 25% of the total Federal allotment.

**ATTACHMENTS:**

Table I-A&B  
Table II-A&B  
Table III  
Table IV

**Table I-A**  
**State Planning Council Composition**  
**Agency Representation**

(i) State Name: \_\_\_\_\_

(ii) Federal Fiscal Year: \_\_\_\_\_

Federal Statutory Members (1)	Name of Member (2)	Date of Appointment (3)	Expiration Date of Appointment (4)	Remarks (5)
A. Principle State Agencies 1. Rehabilitation Act 2. Education of the Handicapped Act 3. Older Americans Act 4. Title XIX of the Social Security Act				
B. Higher Education Training Facilities				
C. Each UAP or Satellite				
D. Protection & Advocacy System				
E. Local Agencies				
F. Non-Governmental Agencies				
G. Private Non-Profit Organizations				

**Table I-B**  
**State Planning Council Composition**  
**Client Representation**

(i) State Name: \_\_\_\_\_

(ii) Federal Fiscal Year: \_\_\_\_\_

Federal Statutory Members  (1)	Name of Member  (2)	Date of Appointment  (3)	Expiration Date of Appointment  (4)	Remarks  (5)
A. Persons with Developmental Disabilities				
B. Parents or Guardians of Persons with Developmental Disabilities (if any other than below)				
C. Immediate Relatives or Guardians of Persons with mentally impairing Developmental Disabilities				

D. Immediate Relative or Guardian of Ever Institutionalized Person with Developmental Disability				Also listed above?:
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Table II-A

### Plan Year Objective

(i) State Name: \_\_\_\_\_

(ii) Federal Fiscal Year: \_\_\_\_\_

*For each Plan Year Objective, Provide this information:*

1. Goal:

2. Objective:

3. Objective Resources:

4. Summary of Plan Year Activities Necessary to Achieve Objective:

Use back of page if necessary.

**Table II-B**

**Later Year Objective**

(i) State Name: \_\_\_\_\_

(ii) Federal Fiscal Year: \_\_\_\_\_

*For each Later Year Objective, Provide this information:*

**1. Goal:**

**2. Objective:**

**3. Objective Resources:**

**4. Summary of Plan Year Activities Necessary to Achieve Objective:**

**5. Summary of Later Year Activities Necessary to Achieve Objective:**  
Use back of page if necessary.

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**Table III**

**Priority Area & Mandated (PAM) Activities  
Projected Funding Plan Break-out \***

(i) State Name: \_\_\_\_\_

(ii) Federal Fiscal Year: \_\_\_\_\_

Priority Area & Mandated (PAM) Activities	Total ** Projected Funding
Federal Priority Areas:	
(1) Employment *	
(2) Community Living	
(3) Child Development	
(4) System Coord. / Community Educ. ***	
State Priority Area:	
(5) Name: _____	
Other PAM Activities:	
(6) PAM Analyses [Act Sec. 122(b)(5)(B)(i-vii)]	
(7) Implementation of 1990 Report	
(8) Total PAM Activities ****	\$ _____

- 
- \* Refer to the requirements section for funding requirements that must be met for approval of the State Plan or Amendments.
  - \*\* Total Projected Funding is Federal projected plus matching projected funding.
  - \*\*\* Case Management is included in System Coordination / Community Education.
  - \*\*\*\* Total PAM Activities in this table [Line (8)] will equal Total PAM Activities in Table IV, block #3C.

Table IV

Basic State Grant  
Projected Funding Plan \*

(i) State Name: \_\_\_\_\_

(ii) Federal Fiscal Year: \_\_\_\_\_

Activities Funded	(A) Federal Share	(B) Recipient's Share	(C) Total Funding Projected
<b>Priority Area &amp; Mandate (PAM) Activities:</b>			
(1) In Non-Poverty Areas			
(2) In Poverty Areas			
(3) Total PAM Activities			
<b>Other Activities</b>			
(4) Plan'g, Coord. & Advoc.			
(5) Desig. State Ag. Func.**			
(6) Total Projected Funding	\$ _____	\$ _____	\$ _____

(7) Total Fed. Funding for Desig. State Agency	\$ _____
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*Optional Worksheet for Overall Match Calculation*

Matching Requirement in DD Act, Sec 103(a)	Federal Share from above	Match Factor	Match Amount
(8) Total Non-Pov. #6A-#2A	\$ _____	1/3	\$ _____
(9) Total Pov. #2A	\$ _____	1/9	\$ _____
(10) Calc'd Match #8C+#9C	XXXXX	XXXXX	\$ _____

\* Refer to the instructions for funding requirements that must be met for approval of the State Plan or Amendments.

\*\* Costs associated with the function of the designated State agency.



**ADDITIONAL INSTRUCTIONS PREPARED FOR INTERNAL USE ONLY**

### Table III

#### Requirements:

- o The Federal priority area of employment activities is required, and therefore funding must be planned for this priority area and such funding indicated in Block #1.
- o In one of the three years, the PAM analyses [Sec. 122(b)(5)(i-vii)] must be funded and such funding indicated in Block #6..
- o Total PAM activities in Table III, Block #8, must equal Total Funding Projected for Total PAM Activities in Table IV (Block #3C).

#### Instructions:

- (i) State: provide official name of State or Territory.
- (ii) Federal Fiscal Year: goes from October 1 of the previous year to September 30. Federal fiscal year 1992 starts on October 1, 1991.

Total Projected Funding Column: For each line, provide the sum of projected Federal share of funding plus projected recipient's matching share.

- Line (1) Employment: provide a projection of funding for projects in the priority area of Employment Activities as defined in Sec.102(13). This priority area must be funded as required in Sec.122(b)(5)(D)(i).
- Line (2) Community Living: provide a projection of funding for projects in the priority area of Community Living Activities as defined in Sec.102(12).
- Line (3) Child Development: provide a projection of funding for projects in the priority area of Child Development Activities as defined in Sec.102(15).
- Line (4) System Coordination / Community Education: provide a projection of funding for projects in the priority area of System Coordination / Community Education Activities as defined in Sec.102(27). This priority area encompasses the former Case Management Priority Area and expands it.
- Line (5) State Priority Area: provide a projection of funding for projects in the optional State priority area, if one is designated, and also provide the name of the State priority area in the space provided. A State priority area is an area considered essential by the State Planning Council, but not a Federal priority area. Examples of State priority areas include: Independent Living, Family Support Services, Regional Networking, and Public Awareness.

**Table III** Instructions continued:

- Line (6) **PAM Analyses:** provide a projection of funding for the PAM analyses described in Sec.122(b)(5)(B)(i-vii).
- Line (7) **Implementation of 1990 Report:** provide a projection of funding for activities addressing the implementation of recommendations made in the 1990 Report described in Sec.122(b)(3) and Sec.122(f), except those included as part of priority area activities. **Do not include here such activities carried out as part of one of the above priority area activities.** Note that the actual 1990 Report activities described in Sec.122(b)(3) and Sec.122(f) are no longer mandated.
- Line (8) **Total PAM Activities:** provide the sum of lines 1 through 7. This will equal Table IV, block #3C.

## Table IV

### Requirements:

- o The Federal share of Total PAM Activities (block #3A) shall be at least 65% of the projected Federal allotment (block #6A) as required by Sec.122(b)(5)(D)(i).
- o Total Funding Projected for Total PAM Activities in Table IV (block #3C) must equal Total PAM activities in Table III (block #8).
- o Total Recipient's Share (block #6B) shall equal or exceed the sum of  $\frac{1}{3}$ <sup>rd</sup> of Federal funding for PAM activities in non-poverty areas (block #1A) and  $\frac{1}{9}$ <sup>th</sup> of Federal funding for PAM activities in poverty areas (block #2A). Note that the necessary match requirement can be calculated using the worksheet at the bottom of Table IV. This match is aggregated match and need not represent match contributed by any particular agency or organization, except for the 50% match required of the designated State agency below. Match may be in-kind.
- o Federal funding for the designated State agency function (block #5A) shall be matched by an equal or better participation from the designated State agency (block #5B), by Sec.122(d)(1). That means the federal share cannot fund more than half of the designated State agency's costs for filling that function, and block #5B must at least equal block #5A.
- o Federal funding for the designated State agency function (block #5A) shall be no more than \$50,000, by Sec.122(d)(1).
- o Federal funding for the designated State agency function (block #5A) shall be no more than five percent (5%) of the projected Federal allotment (block #6A) by Sec.122(d)(1). Consequently, for grant allotments under \$1 million, this limit reduces the \$50,000 limit further.
- o Recipient's share of designated State agency function (block #5B, that shall be supplied by the designated State agency) shall not be less than such expenses from the previous year.
- o Total Federal funding for the designated State agency (block #7), less Federal funding for the designated State agency function (block #5A), shall be less than 25% of the Total Federal Allotment (block #6A), by Sec.122(b)(4)(C).

## Table IV

### Instructions:

- (i) State: provide official name of State or Territory.
- (ii) Federal Fiscal Year: goes from October 1 of the previous year to September 30.  
Federal fiscal year 1992 starts on October 1, 1991.

Column (A) Federal Share: provide the Federal share of total funding projected for each activity.

Column (B) Recipient's Share: provide a figure for matching funds projected for each activity.

Column (C) Total Projected Funding: For each line, provide the sum of Column (A) and Column (B).

Line (1) Priority Area & Mandate (PAM) Activities in Non-poverty Areas: provide a projection of funding for PAM activities in non-poverty areas.

Line (2) Priority Area & Mandate (PAM) Activities in Poverty Areas: provide a projection of funding, for agencies or entities providing services for persons with Developmental Disabilities who are residents of designated poverty areas.

Line (3) Total PAM Activities: provide the sum of Line (1) and Line (2).

Line (4) Planning, Coordinating, & Advocacy: provide a projection of all direct council funding for non-PAM planning, coordination, & advocacy. Include in this category, administrative costs of these activities.

Line (5) Designated State Agency Function: provide a projection of funding for the designated State agency function.

Line (6) Total Projected Funding: provide the sum of Line (3), Line (4), and Line (5).

Line (7) Total Federal Funding for the Designated State Agency: provide the portion of the total Federal allotment allocated to the designated State agency for its function plus planned projects in which it will participate.

### Optional Worksheet for Overall Match Calculation

Need not be reported, but will be calculated by Regional staff.

Line (8) Total Non-Poverty: In block #8A, compute block #6A less block #2A, unless the entire State is a designated poverty area, in which case provide

**Table IV** Instructions continued:

zero funding. In block #8C, compute the match amount: #8A divided by three.

Line (9) Total Poverty: In block #9A, provide block #2A, unless the entire State is a designated poverty area, in which case provide block #6A. In block #9C, compute the match amount: #9A divided by nine.

Line (10) Total Calculated Match Requirement: In block #10C, calculate the sum of block #8C and block #9C.