

## **IC 12-9-2**

### **Chapter 2. Director of Division**

#### **IC 12-9-2-1**

##### **Appointment of director**

Sec. 1. The division shall be administered by a director appointed under IC 12-8-8.5-1.

*As added by P.L.2-1992, SEC.3. Amended by P.L.160-2012, SEC.21.*

#### **IC 12-9-2-2**

##### **Application of IC 12-8-8.5**

Sec. 2. IC 12-8-8.5 applies to the director.

*As added by P.L.2-1992, SEC.3. Amended by P.L.160-2012, SEC.22.*

#### **IC 12-9-2-3**

##### **Powers and duties**

Sec. 3. (a) The director may do the following:

- (1) Employ experts and consultants to assist the division in carrying out the division's functions.
- (2) Utilize, with their consent, the services and facilities of other state agencies without reimbursement.
- (3) Accept in the name of the division, for use in carrying out the functions of the division, money or property received by gift, bequest, or otherwise.
- (4) Accept voluntary and uncompensated services.
- (5) Expend money made available to the division according to policies enforced by the budget agency.
- (6) Adopt rules under IC 4-22-2 necessary to carry out the functions of the division.
- (7) Establish and implement the policies and procedures necessary to carry out the functions of the division.
- (8) Issue orders under IC 4-21.5-3-6.
- (9) Perform any other acts necessary to carry out the functions of the division.

(b) The director shall compile information and statistics from each bureau concerning the ethnicity and gender of a program or service recipient. The director may adopt rules under IC 4-22-2 necessary to implement this subsection.

*As added by P.L.2-1992, SEC.3. Amended by P.L.42-1995, SEC.21; P.L.142-1995, SEC.2; P.L.229-2011, SEC.116; P.L.153-2011, SEC.4.*

#### **IC 12-9-2-4**

##### **Hiring personnel**

Sec. 4. The director may, with the approval of the budget agency, hire the personnel necessary to perform the duties of the division.

*As added by P.L.2-1992, SEC.3.*

#### **IC 12-9-2-5**

##### **Repealed**

*(Repealed by P.L.188-2013, SEC.6.)*

**IC 12-9-2-6**

**Contractual powers and requirements**

Sec. 6. (a) The director may act for the division in entering into contracts for the disbursement of money and the providing of service for approved community mental retardation and other developmental disability centers where constructed and operated or maintained by private nonprofit organizations, a local public agency, or any other state agency that the director determines to be best suited to advance programs for individuals with developmental disabilities.

(b) Before entering into a contract under this section, the director shall submit the contract to the attorney general for approval as to form and legality.

(c) A contract under this section must do the following:

(1) Specify the services to be provided and the client populations to whom services must be provided.

(2) Specify that the definition of developmental disability set forth in IC 12-7-2-61 must be used to determine the eligibility of an individual for reimbursement of the center by the division for the center's services for individuals with a developmental disability. The division shall reimburse the centers at rates established by rule.

(3) Provide for a reduction in funding for failure to comply with terms of the contract.

*As added by P.L.2-1992, SEC.3. Amended by P.L.24-1997, SEC.19; P.L.99-2007, SEC.58.*