

IC 12-9-5

Chapter 5. Duties of Division

IC 12-9-5-1

Administration of appropriated or allocated funds

Sec. 1. The division shall administer money appropriated or allocated to the division by the state, including money appropriated or allocated from the following:

- (1) The federal Vocational Rehabilitation Act (29 U.S.C. 701).
- (2) The federal Social Services Block Grant in-home services for the elderly and disabled (42 U.S.C. 1397 et seq.).
- (3) The federal Randolph Sheppard Act (20 U.S.C. 107 et seq.).
- (4) Medicaid waiver in-home services for the elderly and disabled (42 U.S.C. 1396 et seq.) for treatment of developmental disabilities.
- (5) Office of Disability Determination (42 U.S.C. 1302 and 42 U.S.C. 1383).
- (6) Improving Access to Assistive Technology for Individuals with Disabilities Act (29 U.S.C. 3001 et seq.).
- (7) The federal Social Security Act Payments for Vocational Rehabilitation Services (42 U.S.C. 422).
- (8) Part C of the federal Individuals with Disabilities Education Act, Subchapter III (20 U.S.C. 1431 et seq.).
- (9) Money appropriated or allocated to the division to administer a program under this title.
- (10) Other funding sources that are designated by the general assembly or that are available from the federal government under grants that are consistent with the duties of the division.

As added by P.L.2-1992, SEC.3. Amended by P.L.93-2006, SEC.9; P.L.141-2006, SEC.35; P.L.1-2007, SEC.115.

IC 12-9-5-2

Repealed

(Repealed by P.L.138-1993, SEC.4.)

IC 12-9-5-3

General administrative duties

Sec. 3. The division shall administer the following programs:

- (1) Programs established under any of the following statutes:
 - (A) This article.
 - (B) IC 12-11.
 - (C) IC 12-12.
 - (D) IC 12-12.5.
 - (E) IC 12-12.7.
- (2) Programs under the following statutes, to the extent the division has responsibilities for programs under those statutes:
 - (A) IC 12-24.
 - (B) IC 12-26.
 - (C) IC 12-27.
 - (D) IC 12-28.

(E) IC 12-29.

(3) Supported employment for a person with developmental disabilities.

(4) Epilepsy service centers program.

(5) Epilepsy clinic program.

(6) Medicaid waivers for in-home services for treatment of developmental disabilities.

As added by P.L.2-1992, SEC.3. Amended by P.L.243-2003, SEC.9; P.L.93-2006, SEC.10; P.L.141-2006, SEC.36; P.L.1-2007, SEC.116.

IC 12-9-5-4

Education resources for children with disabilities; application of IC 20-35-2

Sec. 4. IC 20-35-2 applies to the operation of each education program for children with disabilities (as defined in IC 20-35-1-2) conducted by a state owned and operated developmental center or furnished under an agreement with the division.

As added by P.L.2-1992, SEC.3. Amended by P.L.23-1993, SEC.42; P.L.1-2005, SEC.128.

IC 12-9-5-5

Approved services under federal waiver

Sec. 5. (a) Notwithstanding any other law:

(1) home health agencies licensed under IC 16-27-1 are approved to provide home health services; and

(2) personal services agencies licensed under IC 16-27-4 are approved to provide personal services;

under any federal waiver granted to the state under 42 U.S.C. 1315 or 42 U.S.C. 1396n.

(b) In determining whether to approve an entity described in subsection (a) to provide services for a program administered by the office of the secretary, the office of the secretary may use the survey performed by the state department of health in licensing the entity.

As added by P.L.212-2005, SEC.2. Amended by P.L.141-2006, SEC.37.