

**194A.622 Kentucky Commission on Autism Spectrum Disorders -- Membership -- Administrative support -- Meetings -- Comprehensive state plan on training, treatments, and services -- Advisory and monitoring functions.**

- (1) There is hereby created the Kentucky Commission on Autism Spectrum Disorders, which shall consist of the following twenty-two (22) members who shall be initially appointed by July 1, 2005:
  - (a) The secretary of the Cabinet for Health and Family Services or his or her designee;
  - (b) The commissioner of the Department for Medicaid Services or his or her designee;
  - (c) The director of the Kentucky Early Intervention System, Department for Public Health, or his or her designee;
  - (d) The commissioner of the Department for Behavioral Health, Developmental and Intellectual Disabilities or his or her designee;
  - (e) The commissioner of the Department for Aging and Independent Living or his or her designee;
  - (f) The chair of the Council on Postsecondary Education or his or her designee;
  - (g) The director of the Division of Exceptional Children Services or his or her designee;
  - (h) The commissioner of the Department of Vocational Rehabilitation or his or her designee;
  - (i) The commissioner of the Department of Insurance or his or her designee;
  - (j) Two (2) nonvoting ex officio members from the House of Representatives, one (1) representing the majority party and one (1) representing the minority party, who shall be appointed by and serve at the pleasure of the Speaker of the House;
  - (k) Two (2) nonvoting ex officio members from the Senate, one (1) representing the majority party and one (1) representing the minority party, who shall be appointed by and serve at the pleasure of the President of the Senate;
  - (l) Four (4) professional ASD treatment providers, including at least one (1) mental health provider, one (1) physical health provider, and one (1) complex needs consultant from a special education cooperative, to be appointed by the Governor; and
  - (m) Five (5) parents, including three (3) who, at the time of their appointment to the commission, have a child with an ASD who is under eighteen (18) years of age and two (2) who, at the time of their appointment to the commission, have a child with an ASD who is eighteen (18) years of age or older, to be appointed by the Governor.
- (2) In making appointments to the commission, the Governor shall ensure broad representation of Kentucky's citizens who are concerned with the health and quality of life of individuals with an ASD, may appoint individuals who are also members of the Commonwealth Council on Developmental Disabilities, and shall consider

candidates recommended by the Autism Spectrum Disorders Advisory Consortium of Kentucky.

- (3) Members shall serve without compensation but shall be reimbursed for their actual expenses incurred in the performance of commission duties in accordance with KRS 45.101 and administrative regulations promulgated thereunder. Members of the commission shall serve until the commission ceases to exist, a successor has been appointed, or until removed for good cause.
- (4) The Cabinet for Health and Family Services shall provide staff and administrative support for the commission.
- (5) The chair of the commission shall be designated by the Governor and may be a member in addition to those listed in subsection (1) of this section. The chair of the commission shall establish procedures for the commission's internal procedures.
- (6) The commission shall meet at least three (3) times per year. The commission shall also meet as often as necessary to accomplish its purpose upon the call of the chair, the request of four (4) or more members, or the request of the Governor.
- (7) The commission shall develop a comprehensive state plan for creating an integrated system of training, treatments, and services for individuals of all ages with an ASD. The commission shall utilize relevant data and research and consult with appropriate professionals, agencies, institutions, and organizations representing the private and public sectors, including the Kentucky Autism Training Center, to develop the state plan. The state plan shall include the following:
  - (a) An assessment of the diverse needs for services and supports for individuals with an ASD;
  - (b) Identification of state, federal, private, and any other appropriate funding sources;
  - (c) Development of a comprehensive training plan, which shall include the Kentucky Autism Training Center, to meet training needs;
  - (d) An analysis of standards for provider training and qualifications, best practice standards for services, and the need for additional service providers;
  - (e) An evaluation of health benefit plans and insurance coverage for the treatment of ASD;
  - (f) A plan for the identification of individuals of all ages with an ASD and for the creation of a statewide ASD registry;
  - (g) An analysis of program and service eligibility criteria;
  - (h) An assessment of the need for coordinated, enhanced, and targeted special education and treatment programs for children with an ASD; and
  - (i) A timeline for implementing and monitoring the recommendations of the plan statewide. The timeline shall include input from the following:
    1. The Cabinet for Health and Family Services;
    2. The Department for Medicaid Services;
    3. The Department for Public Health;

4. The Department for Behavioral Health, Developmental and Intellectual Disabilities;
  5. The Kentucky Early Intervention System;
  6. The Division of Exceptional Children Services;
  7. The Department of Vocational Rehabilitation;
  8. The Department of Insurance;
  9. The Department of Education;
  10. The Council on Postsecondary Education; and
  11. Other appropriate agencies, professionals, institutions, and organizations representing the public and private sectors, including the Kentucky Autism Training Center.
- (8) Based upon the comprehensive state plan for an integrated system of training, treatment, and services for individuals of all ages with an ASD, the commission shall make recommendations regarding legislation, administrative regulations, and policies to the Governor and the General Assembly on the following:
- (a) Needs for services and supports for individuals who have an ASD;
  - (b) Funding needs and sources, including state, federal, private, and any other appropriate funding sources;
  - (c) Training needs and a plan to implement a comprehensive training system, which shall include the Kentucky Autism Training Center;
  - (d) Standards for provider training and qualifications, best practice standards for services, and the need for additional providers;
  - (e) Goals for developing health benefit plans that provide insurance coverage for the treatment of ASD;
  - (f) A plan for the identification of individuals of all ages with an ASD and for the creation of a statewide ASD registry;
  - (g) Consistent program and service eligibility criteria;
  - (h) The need for coordinated, enhanced, and targeted special education and treatment programs for individuals with an ASD; and
  - (i) Strategies and timelines for establishing an accountable, cost-efficient, and cooperative system of services that integrates and builds upon existing public and private agencies, programs, and resources.
- (9) The commission shall submit the comprehensive state plan and recommendations to the Governor, the Commonwealth Council on Developmental Disabilities, and the Legislative Research Commission by October 1, 2006, at which time the commission shall cease to exist unless reauthorized by the General Assembly.
- (10) The Commonwealth Council on Developmental Disabilities shall appoint a subcommittee, which shall include members of the commission, to monitor the implementation of the state plan as developed by the commission beginning October 1, 2006. The subcommittee shall prepare, and the council shall submit, a report to the Governor and Legislative Research Commission that assesses progress

in the implementation of the state plan and that makes recommendations on the need for modifications to the state plan as developed by the Kentucky Commission on Autism Spectrum Disorders. The subcommittee shall prepare, and the council shall submit, the report as it deems appropriate, but no less than biennially, until October 1, 2015.

**Effective:** July 12, 2012

**History:** Amended 2012 Ky. Acts ch. 146, sec. 24, effective July 12, 2012; and ch. 158, sec. 20, effective July 12, 2012. -- Amended 2010 Ky. Acts ch. 24, sec. 242, effective July 15, 2010. -- Amended 2007 Ky. Acts ch. 24, sec. 6, effective June 26, 2007. -- Created 2005 Ky. Acts ch. 138, sec. 2, effective June 20, 2005.

**Legislative Research Commission Note (7/12/2012).** This statute was amended by 2012 Ky. Acts chs. 146 and 158, which do not appear to be in conflict and have been codified together.

**Legislative Research Commission Note (6/20/2005).** 2005 Ky. Acts ch. 138, sec. 2, creates the Kentucky Commission on Autism Spectrum Disorders and provides that it shall consist of 23 members, including the secretaries of the Cabinet for Health Services and the Cabinet for Families and Children. The reorganization of these cabinets into a single Cabinet for Health and Family Services under Executive Orders 2004-444 and 2004-726 was confirmed by the General Assembly, and the membership of Kentucky Commission on Autism Spectrum Disorders has been changed from 23 to 22 in codification pursuant to 2005 Ky. Acts ch. 99, sec. 675.