

210.770 Definitions for KRS 210.770 to 210.795.

As used in KRS 210.770 to 210.795, unless the context otherwise requires:

- (1) "Mental impairment" includes an intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities;
- (2) "Person with a disability" means someone with a physical or mental impairment and includes individuals who have a record or history of an impairment, or are regarded as having a physical or mental impairment that substantially limits one (1) or more major life activities;
- (3) "Physical impairment" means any physiological disorder or corrective, cosmetic disfigurement, or an anatomical loss affecting one (1) or more of the following body systems: neurological, musculo-skeletal, special sense organs, respiratory including speech organs, cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin, and endocrine;
- (4) "Substantial limitation of a major life activity" includes limiting such things as walking, talking, seeing, hearing, caring for oneself, or working;
- (5) "Hart-Supported Living Program" means grants which provide a broad category of highly flexible, individualized services which, when combined with natural unpaid or other eligible paid supports, provide the necessary assistance to do the following:
 - (a) Provide the support necessary to enable a person who is disabled to live in a home of the person's choice which is typical of those living arrangements in which persons without disabilities reside;
 - (b) Encourage the individual's integrated participation in the community with persons who are members of the general citizenry;
 - (c) Promote the individual's rights and autonomy;
 - (d) Enhance the individual's skills and competences in living in the community; and
 - (e) Enable the individual's acceptance in the community by promoting home ownership or leasing arrangements in the name of the individual or the individual's family or guardian;
- (6) "Hart-Supported Living Program" does not include any services that support the following arrangements:
 - (a) Segregated living models such as any housing situation which physically or socially isolates people with disabilities from general citizens of the community;
 - (b) Segregated programs or activities which physically or socially isolate people with disabilities from general citizens of the community;
 - (c) Congregate living models such as any housing situation which groups individuals with disabilities as an enclave within an integrated setting;
 - (d) Any model where the individual, as an adult, does not have maximum control of the home environment commensurate with the individual's disabilities; and
 - (e) Any single living unit where more than three (3) people with disabilities live;

- (7) "Hart-Supported Living Council" means a supported living council appointed by the Governor and recognized by the commissioner of the Department for Behavioral Health, Developmental and Intellectual Disabilities; and
- (8) "Supported living services" include but are not limited to:
- (a) Supported living community resource developers;
 - (b) Homemaker services;
 - (c) Personal care services;
 - (d) In-home training and home management assistance;
 - (e) Start-up grants;
 - (f) Transportation;
 - (g) Home modifications;
 - (h) Adaptive and therapeutic equipment; and
 - (i) Facilitation by an independent and trained facilitator to develop and implement individualized life planning.

Effective: July 12, 2012

History: Amended 2012 Ky. Acts ch. 146, sec. 95, effective July 12, 2012; and ch. 158, sec. 41, effective July 12, 2012. -- Amended 2006 Ky. Acts ch. 81, sec. 1, effective July 12, 2006. -- Created 1992 Ky. Acts ch. 261, sec. 1, effective July 14, 1992.

Legislative Research Commission Note (7/12/2012). This statute was amended by 2012 Ky. Acts chs. 146 and 158. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 146, which was last enacted by the General Assembly, prevails under KRS 446.250.