

“(2) in fiscal year 2011 and subsequent fiscal years, may disregard any funds provided to such centers from funds appropriated by the American Recovery and Reinvestment Act of 2009 for the centers for independent living program under part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.)”

§ 796f-3. Centers operated by State agencies

A State that receives assistance for fiscal year 2015 with respect to a center in accordance with subsection (a) of this section (as in effect on the day before July 22, 2014) may continue to receive assistance under this subpart for fiscal year 2015 or a succeeding fiscal year if, for such fiscal year—

(1) no nonprofit private agency—

(A) submits an acceptable application to operate a center for independent living for the fiscal year before a date specified by the Administrator; and

(B) obtains approval of the application under section 796f-1 or 796f-2 of this title; or

(2) after funding all applications so submitted and approved, the Administrator determines that funds remain available to provide such assistance.

(Pub. L. 93-112, title VII, § 724, as added Pub. L. 105-220, title IV, § 410, Aug. 7, 1998, 112 Stat. 1234; amended Pub. L. 113-128, title IV, § 482(c), July 22, 2014, 128 Stat. 1693.)

PRIOR PROVISIONS

A prior section 796f-3, Pub. L. 93-112, title VII, § 724, as added Pub. L. 102-569, title VII, § 701(2), Oct. 29, 1992, 106 Stat. 4461; amended Pub. L. 103-73, title I, § 114(k), Aug. 11, 1993, 107 Stat. 731, related to centers operated by State agencies, prior to the general amendment of this subchapter by Pub. L. 105-220.

AMENDMENTS

2014—Pub. L. 113-128, § 482(c)(1), in introductory provisions, substituted “2015” for “1993” in two places and “July 22, 2014” for “August 7, 1998”.

Pars. (1)(A), (2). Pub. L. 113-128, § 482(c)(2), substituted “Administrator” for “Commissioner”.

§ 796f-4. Standards and assurances for centers for independent living

(a) In general

Each center for independent living that receives assistance under this subpart shall comply with the standards set out in subsection (b) and provide and comply with the assurances set out in subsection (c) in order to ensure that all programs and activities under this subpart are planned, conducted, administered, and evaluated in a manner consistent with the purposes of this part and the objective of providing assistance effectively and efficiently.

(b) Standards

(1) Philosophy

The center shall promote and practice the independent living philosophy of—

(A) consumer control of the center regarding decisionmaking, service delivery, management, and establishment of the policy and direction of the center;

(B) self-help and self-advocacy;

(C) development of peer relationships and peer role models; and

(D) equal access for individuals with significant disabilities, within their communities, to all services, programs, activities, resources, and facilities, whether public or private and regardless of the funding source.

(2) Provision of services

The center shall provide services to individuals with a range of significant disabilities. The center shall provide services on a cross-disability basis (for individuals with all different types of significant disabilities, including individuals with significant disabilities who are members of populations that are unserved or underserved by programs under this subchapter). Eligibility for services at any center for independent living shall be determined by the center, and shall not be based on the presence of any one or more specific significant disabilities.

(3) Independent living goals

The center shall facilitate the development and achievement of independent living goals selected by individuals with significant disabilities who seek such assistance by the center.

(4) Community options

The center shall work to increase the availability and improve the quality of community options for independent living in order to facilitate the development and achievement of independent living goals by individuals with significant disabilities.

(5) Independent living core services

The center shall provide independent living core services and, as appropriate, a combination of any other independent living services.

(6) Activities to increase community capacity

The center shall conduct activities to increase the capacity of communities within the service area of the center to meet the needs of individuals with significant disabilities.

(7) Resource development activities

The center shall conduct resource development activities to obtain funding from sources other than this part.

(c) Assurances

The eligible agency shall provide at such time and in such manner as the Administrator may require, such satisfactory assurances as the Administrator may require, including satisfactory assurances that—

(1) the applicant is an eligible agency;

(2) the center will be designed and operated within local communities by individuals with disabilities, including an assurance that the center will have a Board that is the principal governing body of the center and a majority of which shall be composed of individuals with significant disabilities;

(3) the applicant will comply with the standards set forth in subsection (b);

(4) the applicant will establish clear priorities through annual and 3-year program and financial planning objectives for the center, including overall goals or a mission for the center, a work plan for achieving the goals or