

Status of bills supported by The Council on Developmental Disabilities & bills of interest:

SB 129 – P. HORNBACK

AN ACT RELATING TO FAMILY CAREGIVERS

■ Create new sections of KRS Chapter 216B to establish a process to designate a lay caregiver to be contacted upon discharge from a hospital; provide instructions to designated lay caregiver; provide that the designation of a lay caregiver not interfere with the provisions of a living will; provide that compliance or noncompliance does not constitute a private right of action or standard of care.

STATUS: Passed. On Governor's desk.

HB 180 (BR 998) – A. WUCHNER

AN ACT RELATING TO FICTIVE KIN

■ This legislation will allow close family friends — also known as fictive kin — to serve as kinship caregivers. The Cabinet for Health and Family Services will be allowed to call on one of those close family friends when they have to remove a child from home, due to abuse or neglect. This means that on what may be a child's worst day, they will be able to turn to an adult they know, trust, and feel safe with.

STATUS: Passed. Signed by governor.

** Congratulations to Kentucky Youth Advocates for leading this effort! So many children with disabilities are languishing in the foster care system and they often benefit from having a trusted loved one assume the role of foster parent.*

HB 389 (BR 1395) – M. PRUNTY

AN ACT RELATING TO TRAINING FOR FIRST RESPONDERS

■ Amend KRS 311A.120 to require paramedics to receive HIV and pediatric abusive head trauma training; require paramedics, emergency medical technicians, and first responders to receive autism training; create a new section of KRS Chapter 16 to require state police officers to receive autism training; create a new section of KRS Chapter 65 to require local governmental police officers, firefighters, and emergency medical services personnel to receive autism training; repeal KRS 311A.110, which requires AIDS training for paramedics, first responders, and emergency medical technicians; repeal KRS 311A.115, which requires AIDS training for paramedics; repeal KRS 311A.127, which requires pediatric abusive head trauma training for paramedics; and cite the Act as Kaleb's Law.

STATUS: Dead. Will try again next year.

HB 436 (BR 1143) – A. WUCHNER

AN ACT RELATING TO INCOME TAX DEDUCTIONS FOR EDUCATION EXPENSES

■ Amend KRS 141.010 to exclude contributions to 529 plan or STABLE account or eligible education expenses from adjusted gross income; amend KRS 164A.370 to subject excess contributions to and refunds of 529 plans to income tax; create new sections of KRS Chapter 164A to require reporting of information relating to deductions for 529 plan or STABLE account contributions to Department of Revenue and Legislative Research Commission; define terms relating to STABLE accounts; create a new section of KRS Chapter 141 to define terms relating to eligible education expenses; amend KRS 131.190 to allow the Department of Revenue to disclose information to the Legislative Research Commission; amend various KRS sections to conform.

STATUS: Dead. Might roll into tax reform bill.

HB 477 – S. LEE

AN ACT RELATING TO SPECIAL EDUCATION

■ Create new sections of KRS Chapter 157 to establish the Students with Special Needs Scholarship Program; define terminology regarding participation; describe the process for the Kentucky Department of Education to receive student applications and to allocate scholarship funding; require a resident school district to provide annual notice of the program to parents, transfer school records, provide transportation, and permit a student to participate in the state assessment if requested; describe the requirements of a participating school application; describe parent, student, and local district responsibilities; clarify the requirements for a proportionate share of federal funds for parentally placed students with disabilities; amend KRS 157.196, 159.030, and 605.115 to conform with the definition of “individualized education program” in the federal Individuals with Disabilities Education Act; direct the Office of Education Accountability to monitor and report on implementation of the program; name portions of the act the “Special Needs Alternative Education and Welfare Act of 2017.”

STATUS: Dead. Needs more discussion.

** We have stayed neutral on this issue. Transferring public money to private schools to educate kids with disabilities is an intriguing notion, yet successful implementation is very complicated. A topic worthy of discussion with our Board and constituents.*

HOUSE CONCURRENT RESOLUTION 15 – T. BURCH

■ Urge the Governor to request the Secretary of the U.S. Department of Health and Human Services to designate people with intellectual and developmental disabilities as a medically underserved population in the Commonwealth of Kentucky.

STATUS: Dead. Will try to find new sponsor.

HOUSE CONCURRENT RESOLUTION 6

■ Direct the Legislative Research Commission to establish a task force to develop a strategy and funding mechanism to provide care for medically fragile adults with intellectual and developmental disabilities and report findings for referral to the appropriate committees.

STATUS: Dead. But Executive Secretary Brinkman promised to include stakeholders in the Waiver Redesign process. The Council will partner with the Lee Specialty Clinic to testify before Health & Welfare.

HOUSE CONCURRENT RESOLUTION 100 – J. SHELL

■ Direct the Program Review Committee to complete a study of the KRS 142.363 (SCL provider tax statute) and the Supports for Community Living Waiver Program reimbursements for private providers; encourage joint and statutory committees to further discuss 1915 (c) waivers and steps to ensure the financial viability of the program.

As we face opportunities for Medicaid reform, we must ensure that these vulnerable Kentuckians (for whom Medicaid was originally created for in 1965), and their services are protected.

STATUS: Dead. However, Sen. Adams orchestrated a parliamentary move that requires the LRC Program Review Committee to conduct a study. May be finished by October.

SB 29 – D. PARRETT

AN ACT RELATING TO KINSHIP CARE

■ Amend KRS 605.120 to permanently establish a kinship care program.

** We have supported Kentucky Youth Advocates' efforts to improve benefits to elderly/relative caregivers (kinship care). SB 29 would have permanently established a program for kinship care and provided additional supports for kinship caregivers.*

STATUS: SB 29 did not pass, mainly due to a lack of a funding. We will partner with Kentucky Youth Advocates in hopes of growing the grassroots effort to pass this legislation in 2018 that includes an appropriation of funds.