

1 HJR3
2 103326-2
3 By Representative Ward
4 RFD:
5 First Read: 27-MAY-08

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2 ENROLLED, House Joint Resolution,
3 CREATING THE ALABAMA INTERAGENCY AUTISM COORDINATING
4 COUNCIL.

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6 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
7 HOUSES THEREOF CONCURRING, That:

8 I. This resolution as enacted shall be known and may
9 be cited as the Riley Ward Alabama Autism Support Act.

10 II. The Legislature hereby finds and declares the
11 following:

12 (1) The Centers for Disease Control estimates that
13 nationally 1 in 150 children have Autism Spectrum Disorder
14 (ASD).

15 (2) Current studies indicate that ASD can often be
16 detected by the age of three years and in some cases as early
17 as 18 months.

18 (3) Early intervention can produce improved
19 outcomes.

20 (4) These complex disorders are usually of lifelong
21 duration and affect multiple aspects of development, learning,
22 and adaptation in the community.

23 (5) There is an urgent and substantial need to
24 develop and implement a statewide comprehensive, coordinated,

1 multidisciplinary, interagency system of care for individuals
2 with ASD and their families.

3 III. For purposes of this resolution, the following
4 terms have the following meanings:

5 (1) AUTISM SERVICES. Any developmental services that
6 include all of the following:

7 a. Are designed to meet developmental needs of an
8 individual with ASD across the lifespan, including transitions
9 from early intervention to preschool, childhood to
10 adolescence, and adolescence to adulthood.

11 b. Are selected in collaboration with the parents or
12 guardians of children with ASD or adults with ASD.

13 c. Are delivered in inclusive environments, to the
14 extent practical.

15 d. Are part of a coordinated system of care.

16 (2) AUTISM SPECTRUM DISORDER (ASD). ASD is a
17 developmental disability that causes substantial impairments
18 in social interaction and communication and the presence of
19 unusual behaviors and interests. Many people with ASD have
20 unusual ways of learning, paying attention, and reacting to
21 different sensations. The thinking and learning abilities of
22 people with ASD can vary from gifted to severely challenged.
23 ASD begins before the age of 3 and lasts throughout the life
24 of a person with the disorder. ASD may range from a severe
25 form, called autistic disorder, to a milder form, called

1 Asperger Syndrome. If a child has symptoms of either of these
2 disorders, but does not satisfy the specific criteria for
3 either, the diagnosis is called Pervasive Developmental
4 Disorder Not Otherwise Specified (PDD-NOS).

5 (3) COORDINATED SYSTEM OF CARE. The total effort in
6 the state, inclusive of service coordination/case management,
7 that is directed at meeting the needs of individuals with ASD
8 and their families. Such a system promotes the full potential
9 of individuals with ASD across their lifespan.

10 (4) COUNCIL. The Alabama Interagency Autism
11 Coordinating Council.

12 (5) LEAD AGENCY. A participating agency designated
13 to be the lead agency for the council.

14 (6) PARTICIPATING AGENCY. A department, commission,
15 council, board, division, community service provider, or an
16 office or other entity which may provide services to
17 individuals with ASD and their families including, but not
18 limited to, the following:

19 a. The Alabama Department of Children's Affairs,
20 including the Office of School Readiness and the Head Start
21 Program.

22 b. The Alabama Institute for Deaf and Blind.

23 c. The Alabama Department of Education.

24 d. The Alabama Department of Human Resources.

25 e. The Alabama Department of Insurance.

1 f. The Alabama Department of Mental Health and
2 Mental Retardation.

3 g. The Alabama Department of Public Health.

4 h. The Alabama Department of Rehabilitation
5 Services.

6 i. The Alabama Medicaid Agency.

7 j. The University Center of Excellence in
8 Developmental Disabilities Education, Research, and Service.

9 k. Universities of higher education.

10 l. The Autism Society of Alabama.

11 m. The Alabama Council on Developmental
12 Disabilities.

13 (7) POLICIES. Directives by the lead agency,
14 participating agencies, the executive committee, or other
15 written documents that represent the position of the council
16 concerning any matter within the purview of this resolution.

17 (8) SERVICE PROVIDER. Any individual or public or
18 private agency which does any of the following:

19 a. Consults with or provides services to individuals
20 with ASD, the parents or guardians of individuals with ASD, or
21 both.

22 b. Consults with or provides services to other ASD
23 service providers.

24 c. Assists parents or guardians of individuals with
25 ASD and others to provide services.

1 IV. (a) The composition of the council shall reflect
2 the racial, gender, geographic, urban and rural, and economic
3 diversity of the state and shall include all of the following:

4 (1) Three adult individuals with ASD, appointed by
5 the Governor.

6 (2) Three individuals who are the parent or guardian
7 of a child with ASD, appointed by the Governor.

8 (3) Five individuals who are service providers,
9 appointed by the Governor.

10 (4) One member of the Senate, appointed by the
11 President of the Senate.

12 (5) One member of the House of Representatives,
13 appointed by the Speaker of the House.

14 (6) The chief executive officer, or his or her
15 designee, of each of the following participating agencies:

16 a. The Alabama Department of Children's Affairs.

17 b. The Alabama Institute for Deaf and Blind.

18 c. The Alabama Department of Education.

19 d. The Alabama Department of Human Resources.

20 e. The Alabama Department of Insurance.

21 f. The Alabama Department of Mental Health and
22 Mental Retardation.

23 g. The Alabama Department of Public Health.

24 h. The Alabama Department of Rehabilitation
25 Services.

1 i. The Alabama Medicaid Agency.

2 j. The University Center of Excellence in
3 Developmental Disabilities Education, Research, and Service.

4 k. The Autism Society of Alabama.

5 l. The Alabama Council on Developmental
6 Disabilities.

7 m. The Alabama Academy of Pediatrics.

8 (b) The chief executive officers of state agencies
9 serving on the council shall serve ex officio.

10 (c) Initial terms of appointed members of the
11 council shall be staggered. Subsequent terms shall be for
12 three years.

13 (d) The council shall meet at least quarterly and
14 the meetings shall be open to the public.

15 (e) No member of the council shall cast a vote on
16 any matter which would provide direct financial benefit to
17 that member or otherwise give the appearance of a conflict of
18 interest under state law.

19 (f) The Governor shall appoint the chair of the
20 council from among the membership.

21 (g) The Governor shall designate the lead agency for
22 the council upon recommendation of the council.

23 V. The council has the following duties and
24 authority:

1 (1) To make recommendations to the Governor
2 regarding the designation of the lead agency.

3 (2) To identify the roles and responsibilities of
4 all participating agencies.

5 (3) To adopt rules for the internal operation of the
6 council.

7 (4) To recommend to the Governor the appointment of
8 additional members to serve on the council as deemed necessary
9 and appropriate.

10 (5) To develop a long term plan, reviewed annually,
11 for a comprehensive statewide system of care, which, to the
12 extent practical, is derived from scientific based research
13 and nationally recognized best practices. The council shall
14 provide a copy of the plan and a detailed summary of any
15 progress toward implementation of the plan to the Governor and
16 the Legislature on or before the 10th legislative day of each
17 regular session. The plan should include, but not be limited
18 to, all of the following:

19 a. The identification of barriers such as
20 duplicative or fragmented policies which may require
21 modification.

22 b. The development and recommendation of a
23 coordinated program of services.

1 c. A comprehensive fiscal review, analysis, and
2 recommendations for state spending on programs and services
3 for ASD.

4 d. The identification of annual action steps toward
5 implementation.

6 (6) To encourage interagency collaboration, public
7 participation, and mutual sharing of information to facilitate
8 policy decisions and the implementation of a plan for a
9 comprehensive statewide system of care to individuals with
10 ASD.

11 VI. The lead agency is responsible for the general
12 administration, supervision, and monitoring of all council
13 activities.

14 VII. The implementation of this resolution shall be
15 subject to the availability of appropriations to expand,
16 intensify, and coordinate the activities of the council and
17 members of the council.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was adopted by the House 27-MAY-08.

Greg Pappas
Clerk

Senate

28-MAY-08

Adopted