

1. History of DD Councils

FROM THE HISTORY FILES...

The Developmental Disabilities Assistance and Bill of Rights Act 2000 (PL 106-402) was written to improve service systems for individuals with developmental disabilities, and other purposes.

The history of the Developmental Disabilities Act (DD Act) is outlined below. It is important to know the history of the DD Act and understand the evolution over the years.

DEVELOPMENTAL DISABILITIES ACT HISTORY

- 1970 Developmental disabilities Services and Facilities Construction Act of 1970 (P.L. 91-517) – (Amended Mental Retardation Facilities and Community Health Facilities Construction Act of 1963)
- **Added term “developmental disabilities” to expand target population beyond individuals with mental retardation, to also include individuals with cerebral palsy, epilepsy, and certain other neurological conditions which originate prior to age 18**
 - **Required states to establish a State Planning and Advisory Council responsible to submit and annual plan**
 - **Established National Advisory Council**
 - **Established university affiliated facilities program (UAF)**
- 1975 Developmental Disabilities Assistance and Bill of Rights Act (P.L. 94-103)
- **Added autism and dyslexia to definition**
 - **Councils required to prepare plans on deinstitutionalization in their state**
 - ***Individualized Habilitation Plans* required in grant projects**
 - **DD Protection and Advocacy system created**
 - **Councils appointed by Governor; no longer called “advisory”**
 - **Role of Council to advocate established**
- 1978 Developmental Disabilities Amendments (P.L. 95-602)
- **Definition revised to functional definition; age of onset raised to 22**
 - **“Priority areas” added for services and projects**
 - **Council consumer representation requirement raised to 50%**
 - **National Advisory Council dissolved**
- 1981 Developmental Disabilities Act Amendments (through Omnibus Reconciliation Act – P.L. 97035)
- **Reauthorization with minimal changes**
- 1984 Developmental Disability Act of 1984 (P.L. 98-527)
- ***“Employment-related activities”* added as mandated priority**
 - **Values of *Independence, Productivity, and Integration* expressed**

- **“People First language” used throughout the Act**

1987 Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1987 (P.L. 100-146)

- **Focus on the *capabilities, competencies, and preferences*, as well as needs of persons with developmental disabilities.**
- **Strengthened independence of the Council**
- **Focused Councils on “system change” efforts**
- **Required 1990 Report planning effort**
- **Supported role of Council in public policy advocacy and educating policymakers**

1990 Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1990 (P.L. 100-496)

- **Further strengthened independence of Councils**
- **Revised the responsibilities of “designated state agency”**
- **Added values of *inclusion* and *interdependence***
- **Modified definition as applied to children under age 5**

1994 Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1994 (P.L. 103-230)

- **Reorganized and simplified Act.**
- **Revised “integration and *inclusion*” as key principle**
- **Included emphasis on *cultural diversity* and *culturally competent* services and supports**
- **Added new definition for *Personal Attendant Services***
- **Revised language to refer to State DD Council (dropped *Planning* from reference)**
- **Added language that the Act does not “preclude a Council from engaging in systemic change, capacity building, and advocacy activities for individuals other than developmental disabilities, where appropriate.”**
- **Provided as “Projects of National Significance” a special initiative to investigate the expansion of Council activities to individuals with severe disabilities other than developmental disabilities.**
- **Further clarified role of Designated State Agency to provide support services “as requested by and negotiated with the Council” and required the DSA to enter a memorandum of understanding with the Council if requested by the Council.**

1996 Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1996

- **Extended authorization of the DD Act through 1999**

2000 Developmental Disabilities Assistance and Bill of Rights Act of 2000 (P.L. 104-402)

- **Extended and reauthorized the Act through 2007**
- **Revised requirements for State Plans for five years**

- Added nine “areas of emphasis” instead of “priority areas”
- Added definition of self-determination
- Clarified application of DD definition for children to age 9
- Requires Councils to report on waiting lists in each state
- Requires Councils to support self-advocacy organizations and leadership training opportunities
- Requires at least 60% of the Council to be individuals with developmental disabilities or family members and add a representative of the Medicaid Title V agency to the Council
- Requires annual reports to include information about consumer satisfaction with Council supported activities

OTHER DISABILITY LAWS THAT MIGHT BE HELPFUL TO KNOW ABOUT

The Americans with Disabilities Act of 1990
 The Telecommunications Act of 1996
 The Fair Housing Act of 1989
 The Air Carrier Access Act of 1986
 The Voter Accessibility for the Elderly & Handicapped Act 1984
 National Voter Registration Act 1993
 Civil Rights of Institutionalized Persons Act 1980
 Individuals with Disabilities Education Act 1975
 Architectural Barriers Act 1968
 Developmental Disabilities Assistance & Bill of Rights Act 1975
 The Rehabilitation Act of 1973
 Rosa’s Law of 2010
 Patient Protection and Affordable Care Act 2010
 Achieving a Better Life Experience Act of 2014
 Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act 2009
 21st Century Communications and Video Accessibility Act 2010

