

SPONSOR: Sen. Henry & Sen. Townsend & Sen. Cloutier & Rep. Jaques
Sens. Blevins, Ennis; Reps. Bolden, Hensley, Mitchell, Paradee,
B. Short, M. Smith, Wilson, K. Williams, Baumbach

DELAWARE STATE SENATE

148th GENERAL ASSEMBLY

SENATE BILL NO. 93
AS AMENDED BY
SENATE AMENDMENT NO. 1
AND
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATED TO CREATING AN INTERAGENCY COMMITTEE ON AUTISM AND THE DELAWARE NETWORK FOR EXCELLENCE IN AUTISM.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 55, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

Subchapter IV. Interagency Committee on Autism and the Delaware Network for Excellence in Autism

§ 5541 Definitions.

For the purposes of this subchapter:

(1) "Autism Spectrum Disorders" (ASD) shall have the same definition as in the current edition of the "Diagnostic and Statistical Manual of Mental Disorders" published by the American Psychiatric Association. "Autism Spectrum Disorders" (ASD) shall also include related developmental disabilities whenever people with these disabilities can also benefit from the improvements and enhancements identified for people with ASD.

(2) "People living with ASD" shall include the person with ASD and their legal guardian(s)

(3) "Agencies" shall include both public and private agencies and associations.

§ 5542. Interagency Committee on Autism

The General Assembly hereby establishes the Interagency Committee on Autism (ICA) with the charge to:

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a) Utilize evidence-based practices and programs to improve outcomes for people living with ASD and related developmental disabilities in Delaware by sharing information, initiatives, data and communications among both public and private agencies providing services and supports for individuals and families affected by Autism Spectrum Disorders in the State of Delaware.

b) Implement the recommendations outlined in the 2013 Delaware Strategic Plan entitled "Blueprint for Collective Action: Final Report of the Delaware Strategic Plan to Improve Services and Supports for Individuals with Autism Spectrum Disorder." This may include assisting state agencies and partner agencies to develop more detailed implementation strategies and timelines, and to track progress towards specific goals.

c) Monitor services currently provided by state agencies to people with ASD, with the goal of identifying gaps and avoiding duplication of services

d) Provide oversight for and development of goals and priorities for the Delaware Network for Excellence in Autism (Network), created to assist in the implementation of the Committee's recommendations.

e) Advise the General Assembly on legislation that is needed to implement these recommendations. The ICA may develop and recommend legislation to the General Assembly or comment on pending legislation that affects those persons.

f) Submit a report annually to the Governor and the General Assembly summarizing:

1) The progress towards all recommendations adopted by the ICA and the activities of the Network and the ICA;

2) Major categories of expenses and that includes all public, private, and in-kind support.

g) Members of the ICA shall not be compensated directly for their service on the ICA

h) The ICA shall be chaired by the Network Director, who shall be responsible for coordinating quarterly meetings of the ICA with the locations of those meetings moving between state counties regularly.

i) The Network Director shall not be a voting member of the ICA.

j) Members of the ICA in existence at the time of this legislation's passage shall maintain their membership.

k) New members of the ICA not specifically mentioned below shall be appointed by a majority vote of the existing ICA members.

l) The ICA shall adopt rules for the conduct of its meetings.

m) Any actions taken by the ICA must be approved by a majority vote of the members present.

n) The ICA shall establish policies and adopt rules to carry out its duties.

o) Voting members of the ICA shall consist of, but not be limited to:

1) The Statewide Director of the Delaware Autism Program;

2) A representative appointed by the Department of Education;

3) A representative appointed by the Division of Developmental Disabilities Services;

4) A representative appointed by the Division of Vocational Rehabilitation;

5) A representative appointed by the Center for Disabilities Studies at the University of Delaware;

6) A representative appointed by Autism Delaware;

7) A representative appointed by the Nemours network;

8) A representative appointed by the Division of Public Health;

9) A representative appointed by the Delaware Association of Rehabilitation Facilities;

10) A representative appointed by the Division of Substance Abuse and Mental Health;

11) A representative appointed by Family Voices;

12) A representative appointed by the Parent Information Center of Delaware;

13) A representative of Part C/Birth to Three System;

14) A representative appointed by the Division of Prevention and Behavioral Health Services;

15) A parent or caregiver of a child or adult with ASD from each county in Delaware;

16) An individual with ASD.

p) Administrative staff support for the ICA shall be provided by the Network.

§ 5543. Delaware Network for Excellence in Autism

(a) The General Assembly hereby establishes the Delaware Network for Excellence in Autism (Network) in order to provide a resource for training and technical assistance for Delaware state agencies, organizations and other private entities operating in the State of Delaware who provide services and support to individuals and families affected by ASD. Services shall be provided through a contract between the University of Delaware and the appropriate state agency.

(b) The Network shall be run by a Director, who shall be hired by the Center for Disabilities Studies, with representation on the hiring committee by the Interagency Committee for Autism.

(c) The Network Director shall be housed at the Center for Disabilities Studies at the University of Delaware, which shall be responsible for supervision of the Director.

(d) The Director of the Network shall be responsible for the creation of an annual report and submission of such to the Governor and the General Assembly.

(e) Network staff members shall possess experience in Autism Spectrum Disorders and shall administer training and technical assistance in all cases utilizing accepted evidence-based practices.

(f) The Network shall maintain at least one administrative support staff position, who shall be responsible for supporting the day-to-day operations of the Network and shall be overseen by the Network Director.

(g) The Network shall consist of at least four Team Leader Network staff positions, to ensure adequate training across the areas of healthcare, education, vocational services and social services.

(h) Team Leaders shall be overseen by the Network Director.

(i) The Network shall include at least 2 FTEs Family Trainer/Navigators, who shall be responsible for assisting families in learning about and gaining access to needed services, including those from the state system. These services shall also include community training opportunities for individuals and families.

(j) Family Navigators shall be contracted through Autism Delaware and shall provide a quarterly report on the number of families served and major issues encountered to the Network Director and the Interagency Committee on Autism.

(k) The Network shall develop and maintain a website that offers public visibility to the activities of the Network, the ICA, and tracks progress on attaining the goals of the Blueprint for Collective Action, as well as offering links to key autism services within Delaware.

(l) The Network shall support the operations of the ICA through the maintenance of the website, maintenance of reports created by the ICA and minutes of ICA meetings, as well as other support as needed.

(m) The Network shall consist of additional staff specifically designated to provide training, technical assistance and coaching to all local education agencies across Delaware.

(n) Training and technical assistance related to education will be managed by the Network in collaboration with the office of the Statewide Director of the Delaware Autism Program.

(o) The Network shall also administer additional contracts for training and technical assistance.

(p) The Network shall have the authority to contract with outside individuals and agencies in order to provide needed training and technical assistance consistent with the Network's goals.

(q) Contracts shall be overseen by the Director of the Network.

(r) Contracted individuals shall adhere to similar standards of professional qualifications and demonstration of accepted, evidence-based practice as Network staff.

(s) The Network Director shall be empowered to seek and administer outside grant funding as appropriate to fulfill the mission of the Network.

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