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BILL



ANALYSIS

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Senate Bill 144 (Substitute S-2 as reported)
 Sponsor: Senator William Van Regenmorter
 Committee: Local, Urban, and State Affairs

Date Completed: 6-5-95

RATIONALE

Several State departments provide services to handicapped persons or their families either directly or on a contractual basis through private agencies. Services also are available to the handicapped from private agencies that are not associated with a State agency. A 1991 performance audit by the State Auditor General indicated that information about State services is available from individual programs within State departments. Persons working within those departments, however, apparently do not have information about all the programs and services offered by their departments. Furthermore, the audit found that information on services available Statewide from other State departments and private agencies was even more limited. The report concluded that summary information on services to the handicapped is not readily available to the public. It was suggested in the audit report that a State agency be designated to prepare and make available to the general public a comprehensive directory that described programs and services available to handicapped persons.

CONTENT

The bill would create "The Central Disability Resource Directory Act" to provide for the establishment of a central disability resource directory of information on services provided with State or Federal money to persons with a disability and their families by a service provider. The bill would require the Commission on Handicapper Concerns to develop and distribute a form to all agencies for the purpose of obtaining information; and would require the "computer network" (the software and hardware developed by TECH 2000 within the Department of Michigan Jobs Commission) to incorporate into its system

information collected on disability services to create the directory and perform other functions, such as disseminating the information and updating the directory.

"Agency" would mean an organization designated by the Governor to implement a program for the protection and advocacy of the rights of developmentally disabled persons, or a State department, bureau, division, section, board, commission, trustee, authority, institution of higher education, or office created by the Constitution, statute, or agency action. "Disability" would mean a determinable physical or mental characteristic of an individual that could result from disease, injury, congenital condition of birth, or functional disorder if the characteristic limited one or more of the major life activities of that individual. "Service provider" would mean a person, organization, local or State governmental unit, or other entity that received State or Federal money for the purpose of providing services, equipment, supplies, or other assistance to a person with a disability or the family of a person with a disability.

Specifically, the bill would require the Commission on Handicapper Concerns to develop a form and distribute it to all agencies within 180 days after the bill's effective date. All agencies would have to complete the form by providing at least all of the following information on available services provided with State or Federal money by a service provider to assist persons with disabilities or their families:

- The name of the agency that provided the State or Federal money.
- The name, address, phone number, and contact person for the service provider receiving the State or Federal money.

- A brief description of the services provided by the service provider.
- Eligibility criteria a person with a disability or the family of a person with a disability had to meet before receiving the assistance of that service provider.

An agency would have to complete the form and submit it to the Commission for each grant of State or Federal money made through that agency to a service provider that provided services, equipment, supplies, or other assistance to a person with a disability or the family of a person with a disability.

The Commission would have to ensure that the information was complete, suitable for inclusion in the central resource directory, and in a form and format easily understood by the general public. Further, the Commission would have to distribute forms to update existing data, solicit new information on a continuing basis, and complete an update of the entire central resource directory at least annually.

An organization that did not receive State or Federal funds but provided services to a person with a disability or his or her family could be included in the central resource directory by requesting a form from the Commission and submitting that completed form to the Commission.

The Commission would have to forward the completed forms to the computer network, which would be required to incorporate into its system information from forms forwarded under the bill, and use a taxonomy (classification) in maintaining the directory that was consistent with the taxonomy used by Federal agencies that maintain data for public use. The computer network also would have to do the following:

- Train computer network staff to enter and maintain the central resource directory data from the forms.
- Disseminate the information contained in the central resource directory in a manner consistent with the bill.
- Assist persons in obtaining access to central resource directory information.
- Add new information to the central resource directory within 30 days of receiving that information.
- Update the entire central resource directory at least annually.
- Make the central resource directory accessible to an individual who called or visited a library, as described in the bill.

- Ensure that the computer network was available to any of the following entities that complied with Public Act 1 of 1966 (the barrier free design law), and complied with applicable State and Federal laws affecting persons with disabilities, and accommodated persons with disabilities: public libraries; college and university libraries; regional or subregional libraries designated by the National Library Service and the Library of Michigan to provide services for the blind and persons with disabilities; and, agencies.

TECH 2000 would have to establish computer network guidelines and procedures for those organizations providing services to persons with disabilities and the families of persons with disabilities and not receiving State or Federal money for those services.

The information in the directory system or a writing prepared, owned, used, in the possession of, or retained by TECH 2000 under the bill would be subject to the Freedom of Information Act.

The Commission and the Department of Michigan Jobs Commission each would have to file with the Legislature an annual report that identified the manner in which the bill was implemented by the reporting entity and specified the frequency with which persons used the central resource directory through the reporting entity.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Handicapped persons, their families, and professionals assisting these persons often have difficulty determining what services are available to assist handicappers, which can result in individuals' not receiving needed and available services. A 1991 State audit found that most State departments had not prepared a comprehensive summary of information regarding services for the handicapped. Any information that was available, however, was technical in nature and was not intended for distribution to the general public. Furthermore, people working in various State departmental programs that assist handicappers had not been given information on services provided by other programs within their own departments, much less information on services available Statewide from other departments and private agencies. The audit determined that

knowledge of services provided by non-State agencies often was based on a professional's prior experiences, or those of a co-worker, as the result of research he or she had done on individual cases. There did not exist at the time of the audit, nor is there presently a mechanism for accumulating information on services that can be used by handicapped persons, their families, or those who work with the disabled. In addition, the audit found that caseworkers' efforts to locate available services for their clients often duplicated efforts by others who researched the same services for similar cases. A directory that included descriptions of services for the handicapped would help disabled persons and their families obtain information on needed services and would be a valuable tool for persons in public and private agencies that work with handicappers.

Supporting Argument

The bill would require the Commission on Handicapper Concerns to develop and distribute a form to public and private agencies that assist disabled persons to obtain information on services available to them, and would require the computer network developed by TECH 2000 within the Michigan Jobs Commission to incorporate into its system information collected on disability services to create a directory of services. These requirements would satisfy the recommendation made by a State performance audit report that a State agency be designated to develop and maintain a directory. Furthermore, the bill's requirement that the information be incorporated into the Jobs Commission computer network would result in the development of a data base that could be easily maintained and updated. Thus, the general public and handicapped persons, in particular, would be provided with an efficient and effective method for retrieving information on handicapper services. The concept of a service directory is not new in the State; according to the performance audit, a job-training directory, entitled "Investing In People", provided summary information about employment-related training programs operated by governmental and private agencies in the State. In addition, summary information regarding services to substance abusers already is available in a directory maintained by the Office of Substance Abuse Services.

Response: Some people have questioned whether TECH 2000 is the appropriate entity to disseminate the proposed directory. TECH 2000 is a Federally funded project within the Michigan Jobs Commission that is designed to promote the use of assistive technology for individuals with a disability--through, for example, the legal system, legislative advocacy, and the educational system.

The project, itself, does not provide services, but functions as a referral/information source. As one part of the project, TECH 2000 has funded an electronic bulletin board, which is a directory of vendors and services around the State. While it appears that this directory functions in much the same manner as proposed for the directory under the bill, the bulletin board depends upon various community councils around Michigan for its information. The proposed directory apparently would be much more comprehensive in terms of sources of information, data provided to users, and user access. Some have raised concerns that TECH 2000--which receives an average of \$700,000 yearly for its staff and services--simply does not have the resources to accommodate the requirements of the bill.

Legislative Analyst: L. Arasim

FISCAL IMPACT

The cost to the State could exceed \$100,000 annually during the first stage of the proposed project.

The Commission on Handicapper Concerns (Department of Labor) would be required to distribute a form to all "agencies", solicit new information on a continuing basis, and update the central resource directory at least annually. An "800" phone number providing similar services and information is provided by the Commission on Handicapper Concerns. The cost of this service is \$300 per month. According to Commission records, 8,000 calls are placed with this information number each year.

The Michigan Jobs Commission would need to provide staff for maintenance and data base support. No funding or other source of fiscal support has been identified, and project funding has not been provided in the Michigan Jobs Commission budget for FY 1995-96. Approximately one month of staff time would be needed annually to make necessary data base revisions, once the resource directory was in place and ready for the network.

Fiscal Analyst: K. Lindquist

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.