



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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Senate Bill 144 (as enrolled)  
Sponsor: Senator William Van Regenmorter  
Senate Committee: Local, Urban and State Affairs  
House Committee: House Oversight and Ethics

**PUBLIC ACT 575 of 1996**

Date Completed: 2-11-97

**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 created "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 requires the Commission on Disability Concerns to develop and distribute a form to all agencies for the purpose of obtaining information; and requires the Library of Michigan to create the directory and perform other functions, such as disseminating the information and updating the directory. The**

**bill specifies that duties imposed on the Commission and the Library must be suspended in any fiscal year in which the Legislature does not appropriate the funds needed to implement the bill.**

The bill will be repealed three years after its effective date. (The bill took effect on January 16, 1997.)

"Agency" means 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" means a determinable physical or mental characteristic of an individual that may result from disease, injury, congenital condition of birth, or functional disorder if the characteristic limits one or more of the major life activities of that individual. "Service provider" means a person, organization, local or State governmental unit, or other entity that receives 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 requires the Commission on Disability Concerns in consultation with the Library of Michigan to develop a form and distribute it to all agencies within 180 days after the bill's effective date. All agencies must 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 provides 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 must meet before receiving the assistance of that service provider.

An agency must 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 provides services, equipment, supplies, or other assistance to a person with a disability or the family of a person with a disability.

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

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

The Commission must forward the completed forms to the Library of Michigan, which is required to do all of the following:

- Create a central resource directory of the information from forms forwarded under the bill, and use a taxonomy (classification) in maintaining the directory that is consistent with the taxonomy used by Federal agencies that maintain data for public use.
- Train Library 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 calls or visits the Library.

The Library also is required to establish a computer network for the central resource directory and make the computer network available to any of the following entities that comply with Public Act 1 of 1966 (the barrier free design law), and comply with applicable State and Federal laws affecting persons with disabilities, and accommodate 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.
- Agencies.

The Library may 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 this directory system or a writing prepared, owned, used, in the possession of, or retained by the Library must be made available to the public in compliance with the Freedom of Information Act.

The Commission and the Library each must file with the Legislature an annual report that identifies the manner in which the bill is implemented by the reporting entity and specifies the frequency with which persons use the central disability resource directory through the reporting entity.

MCL 395.321-395.331

## **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 comprehensive 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 includes descriptions of services for the handicapped will help disabled persons and their families obtain information on needed services and will be a valuable tool for persons in public and private agencies that work with handicappers.

### **Supporting Argument**

The bill requires 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 requires the Library of Michigan to create a central resource directory. These requirements will 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 Library disseminate the information and update the directory will provide the general public and handicapped persons, in particular, 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", provides 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.

Legislative Analyst: L. Arasim

### **FISCAL IMPACT**

The Library of Michigan estimates start-up costs at \$31,850. Annual costs after that are expected to be \$14,700. Costs include hardware upgrades, software, programming, data entry, forms, and other staff time.

The Family Independence Agency estimates \$20,000 will be needed to implement the Commission's responsibilities for development and distribution of the directory forms.

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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.