210.795 Standards for Hart-Supported Living Council living arrangements -- Administrative regulations.

(1) The Department for Behavioral Health, Developmental and Intellectual Disabilities, in cooperation with the Hart-Supported Living Council, shall establish standards for the administration of the Hart-Supported Living Program. The purpose of these standards is to ensure that a person with a disability receives supported living services in a manner that empowers the person to exercise choice and enhances the quality of that person's life. These standards shall promote the following:

(a) Choice over how, when, and by whom supports are provided and over where and with whom a person with a disability lives;

(b) Responsibility of the person with a disability and his or her representative for managing grants and the provision of supports under the grant;

(c) Freedom to live a meaningful life and to participate in activities in the community with members of the general citizenry;

(d) Enhancement of health and safety;

(e) Flexibility of services that change as the person's needs change without the individual having to move elsewhere for services;

(f) Use of generic options and natural supports;

(g) Well-planned and proactive opportunities to determine the kinds and amounts of support desired, with the meaningful participation of the individual, the individual's family or guardian where appropriate, friends, and professionals; and

(h) Home ownership or leasing with the home belonging to the person with a disability, that person's family, or to a landlord to whom rent is paid.

(2) The individual supported living plan shall be developed by the person with a disability and that person's family or guardian where appropriate, and, as appropriate, the proposed or current provider.

(3) The Department for Behavioral Health, Developmental and Intellectual Disabilities, in concert with the Hart-Supported Living Council, shall promulgate administrative regulations under KRS Chapter 13A, if necessary, to establish the methods of awarding Hart-Supported Living Program grants for individual supported living plans and monitoring the quality of service delivery, and to provide for administrative appeal of decisions. Administrative hearings conducted on appeals shall be conducted in accordance with KRS Chapter 13B.

Effective: July 12, 2012

History: Amended 2012 Ky. Acts ch. 146, sec. 98, effective July 12, 2012; and ch. 158, sec. 44, effective July 12, 2012. -- Amended 2006 Ky. Acts ch. 81, sec. 5, effective July 12, 2006. -- Amended 1996 Ky. Acts ch. 318, sec. 102, effective July 15, 1996. -- Created 1992 Ky. Acts ch. 261, sec. 6, effective July 14, 1992.

Legislative Research Commission Note (7/12/2012). This statute was amended by 2012 Ky. Acts chs. 146 and 158. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 146, which was last enacted by the General Assembly, prevails under KRS 446.250.