

S R  
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3/7  
Send cc's Jan  
al. ~~John~~  
highlighting Para III  
on their cc.  
m J

+ drop Joe  
a note that  
we'll be hearing  
the HR<sup>13</sup> on DP's  
in Anchorage Mar 17.

SENATE RESOLUTION 9 by the Senate HESS Committee Relating to a state policy for the developmentally disabled.

This resolution was developed by the Committee following a joint hearing of the House and Senate HESS Committees with the Governor's Council for the Handicapped and Gifted at the end of January.

The Governor's Council explained their funding priorities, needs assessment and long range plans as they have in the past. The plan for 1984-86 was divided into regions of the state, with detailed information on the population, current service levels and needs.

The many advocacy and family groups involved with the Governor's Council feel that the needs for services within the community for the developmentally disabled are long overdue. Plans of service have been developed for six years - but are not implemented. Institutional care continues to absorb most of the developmentally disabled dollars, while many people remain unserved.

For this reason, the HESS committee has introduced SR 9, requesting the Governor and his departments to present to the legislature in 1985 a comprehensive plan for the developmentally disabled that will advance the following goals:

- \*improve their innate dignity, value and rights.
- \*expand their opportunities in employment, education and community living.
- \*the delivery of social services in the least restrictive manner
- \*the exploration of community based alternatives to institutionalization.

(J) programs which train persons to work with or assist older Alaskans;

(K) transportation services;

(L) educational activities; and

(M) employment services;

(4) "sponsor" means the provider of one or more service programs or pilot projects for the benefit of older Alaskans, including

(A) a municipality of the state; and

(B) a nonprofit corporation organized under the laws of the state.

(C) an educational institution.

(5) "commission" means the Older Alaskans Commission established in AS 44.21.200. (§ 1 ch 152 SLA 1980; am §§ 10-12 ch 79 SLA 1981)

Effect of amendments. — Section 10, ch. 79, SLA 1981 added subparagraph (C) in paragraph (4). Section 11 of ch. 79 added

paragraph (5). Section 12 of ch. 79 repealed paragraph (1) which defined the office on aging.

## Chapter 80. Persons with Handicaps.

### NOTES TO DECISIONS

**Purpose of chapter.** — The purpose of AS 47.80.010 through 47.80.900 is to provide affirmative services to the handicapped. In re K.M.L., Sup. Ct. Op. No. 2325 (File No. 4708), 626 P.2d 574 (1981).

**Minimal institutionalization a goal.** — A fundamental goal of AS 47.80.010 through 47.80.900 is to minimize institutionalization in the habilitation of handicapped individuals. In re K.M.L., Sup. Ct. Op. No. 2325 (File No. 4708), 626 P.2d 574 (1981). See AS 47.80.110.

No authority to involuntarily commit

the handicapped. — The statutory scheme of AS 47.80.010 through 47.80.900 does not give the courts authority to involuntarily commit the handicapped. In re K.M.L., Sup. Ct. Op. No. 2325 (File No. 4708), 626 P.2d 574 (1981).

AS 47.80.010 through 47.80.900 contains no implicit authority for the involuntary commitment of those handicapped individuals who fall within its scope. In re K.M.L., Sup. Ct. Op. No. 2325 (File No. 4708), 626 P.2d 574 (1981).

### Article 1. Rights.

#### Sec. 47.80.010. Rights of persons with handicaps.

### NOTES TO DECISIONS

Quoted in In re K.M.L., Sup. Ct. Op. No. 2325 (File No. 4708), 626 P.2d 574 (1981).

#### Sec. 47.80.020. Protection and advocacy of rights.

### NOTES TO DECISIONS

This section was enacted in response to a federal statute, 42 U.S.C. § 6012(a), providing for joint federal and state protection and advocacy of the rights of



**South Central  
Health Planning and Development, Inc.**

1135 West Eighth Avenue • Suite 1 • Anchorage, Alaska 99501

(907) 278-3631

February 29, 1984

Honorable Joe Josephson  
Alaska State Senate  
Pouch V  
Juneau, Alaska 99811

Dear Senator Josephson:

Re: SR 9 Proposed Policy for the Developmentally Disabled

The full Board of South Central Health Planning and Development, Inc., met on February 25, 1984. This proposed resolution establishing a policy for development of a comprehensive program of services for developmentally disabled Alaskans was discussed fully. A motion to support SR 9 was passed unanimously.

The situation for developmentally disabled Alaskans has reached crisis levels. This resolution establishes a direction to begin addressing the solutions in an effective, organized fashion. I urge you to support this resolution and the tenets it espouses.

Sincerely,

Steve Lesko  
President

Attachment

SL/ab

RECEIVED

Josephson,

GOVERNOR'S COUNCIL FOR THE HANDICAPPED AND GIFTED

1984 LEGISLATIVE PRIORITIES

In accordance with the Council's responsibilities under Alaska Statute 47.80 to "advise the executive and legislative branches on programs and policies regarding these citizens", the Governor's Council for the Handicapped and Gifted makes the following recommendations for consideration during the 1984 session of the Alaska Legislature. Included for each of the six priority programs are estimated funding levels required to meet full service needs, Council recommendations for F85 program funding and the Governor's proposed budget figures.

INFANT LEARNING PROGRAMS

Increase Required to Meet Full Service Need (Provide service to and additional 141 children in unserved areas at approximately \$3000/child.)	+423.0
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F85 Recommended Funding Level	2,514.0
Governor's Proposed F85 Budget	<u>2,091.0</u>

INCREASE OVER PROPOSED F85 BUDGET	+423.0
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RESPIRE AND DAY CARE

Increase Required to Meet Full Service Need (30-40 hours/day added to existing programs, 85-100 hours/day in unserved areas)	+ 320.0
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F85 Recommended Funding Level	1,041.6
Governor's Proposed F85 Budget	<u>889.4</u>

INCREASE OVER PROPOSED F85 BUDGET	+152.2
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PERSONAL AIDES AND ATTENDANTS

Increase Required to Meet Full Service Need (Approximatley 25 persons in need of service at \$21,900/person/year.)	+547.5
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F85 Recommended Funding Level	660.0
Governor's Proposed F85 Budget	<u>330.0</u>

INCREASE OVER PROPOSED F85 BUDGET	+330.0
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HOMEMAKER SERVICES

Increase Required to Meet Full Service Need (15 hours/week for an additional 250 handi- capped children and adults.)	+2,831.3
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F85 Recommended Funding	2,409.6
Governor's Proposed F85 Budget	<u>2,234.6</u>

INCREASE OVER PROPOSED F85 BUDGET	+175.0
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COMMUNITY LIVING SERVICES

Increase Required to Meet Full Service Need (An array of vocational services and residential support and training for 77-81 individuals pre- sently on program waiting lists.)	+3,480.0
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F85 Recommended Funding	5,194.3
Governor's Proposed F85 Budget	<u>4,610.6</u>

INCREASE OVER PROPOSED F85 BUDGET	+583.7
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GIFTED/TALENTED SPECIAL EDUCATION

Increase Required to Meet Full Service Need (Funding the Honor's Institute, one FTE position for G/T in DOE, support of program field)	+251.0
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F85 Recommended Funding	251.0
Governor's Proposed F85 Budget	<u>0</u>

INCREASE OVER PROPOSED F85 BUDGET	+251.0
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# STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

## DEPT. OF HEALTH AND SOCIAL SERVICES

POUCH H 04  
JUNEAU, ALASKA 99811  
PHONE: 465-3370

### DIVISION OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

October 12, 1983

Mr. David F. Maltman  
Executive Director  
Protection and Advocacy  
for the Developmentally Disabled  
325 East 3rd, 2nd Floor  
Anchorage, AK 99501

Dear Mr. Maltman:

In some ways your letter of September 22 is difficult to answer because we do not have all of the reliable information we would like. In addition, future needs in Alaska depend on the growth of the state and the nature of that growth as well as the kind of innovation that take place within the field.

However, with the above conditions and in an attempt to be clear and brief, the list of needed services based on current verified client demand for programs of the type administered by the Developmental Disabilities Section are as follows:

<u>Verified Client Need By Program</u>	<u>Estimated Yearly Operational Cost</u>
<u>Respite Care Services</u>	
30 - 40 hours per day added to existing programs - - - - -	\$ 70,000
85 - 100 hours per day for new families mainly in non-urban areas statewide - - - - -	250,000
<u>Vocational Training Services</u>	
50 persons verified on waiting lists of existing programs in Anchorage, Ketchikan, Juneau, Kodiak and Fairbanks - - -	500,000
25 persons waiting for program develop- ment in the Kenai, Southeast Alaska, and Bethel - - - - -	200,000

Residential Support and Training

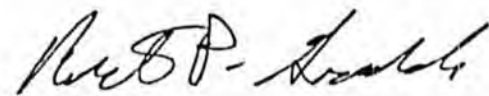
38 persons on waiting lists for existing services - - - - -	1,200,000
15 persons in need of new in-home support services and group homes in Kenai and Anchorage - - - - -	300,000
8 persons with Autism having highly specialized needs - - - - -	300,000
16 - 20 mentally retarded/emotionally disturbed persons needing highly specialized services (Anchorage, Valdez, and Kodiak) - - - - -	900,000

Again, the data regarding clients is based on our best judgement of client needs that have been verified by the Division. The estimated figures for yearly operational costs are based on a good deal of experience with the cost of community programs in Alaska. Except for a portion of the final program listing (i.e. MR/ED programs in Valdez) the list is composed of estimates of need for community based programs as opposed to institutional programs. Also, the list assumes that existing programs would generally remain to meet needs of the currently served population.

One final caveat is that the cost estimate should not imply the ability of the State Division of Mental Health and Developmental Disabilities to fund programs. In fact, State revenues have for the past two years precluded the possibility of adding to most programs administered by the Department of Health and Social Services, including those to developmental disabled persons. It appears that the future revenue picture is bleak, also.

With the conditions described, I believe you will find the list accurate. If not, or if you have questions or concerns, please do not hesitate contacting me. You may wish also to contact the Governor's Council for the Handicapped and Gifted. The descriptions of need found in the Council's recently developed State Plan may provide a more comprehensive statement.

Sincerely,



Robert P. Gregovich, Ph.D.  
 Program Administrator  
 Developmental Disabilities

cc: Lee Killgore  
 Dr. Philip Shapiro



RECEIVED

ASSOCIATION FOR RETARDED CITIZENS OF ALASKA  
P.O. BOX 4-BBB ANCHORAGE, ALASKA 99509

March 3, 1984

State of Alaska  
Department of Health and Social Services  
204 Alaska Office Building  
Pouch H-01  
Juneau, Alaska 99811  
Attention Robert London Smith Ph.D.  
Commissioner

Dear Dr. Smith

I am appalled that you (your department) would instruct Dr. Gregovich to stand up in front of the Senate and ask that they vote down Senate Resolution - 9.

How can you take this position? What in the resolution; which simply calls for the recognition of the rights and dignity of nature for the developmentally disabled, can be so offensive to you?

It is apparant to me, that Greek letters of learning after a person's name do not remove the shrouds of ignorance and prejudice. It is ironic that a Dr. of Philosophy would stand in front of the Senate and speak using the tenat of argument - "AD IGNORANTUM". This same tenat he would then take to his students and berate its principal of argument as fallacious.

There is a statement that "history repeats itself," perhaps it is so. Approximately 115-125 years ago, ignorant people decried a proclamation put forth by a man named Lincoln, it was entitled the "Emancipation Proclamation". Would you have stood up then Dr. and called for it to be voted down? 200 hundred years ago when men argued the rights and dignity of man, a bill came forth, it was called "The Bill of Rights", would you have stood up then and decried that this bill be voted down?

The language in Sr-9, to most degree, is no different in context then in a reply sent by the Governor to House Majority Leader Ramona Barnes. This resolution as passed by the Senate is going to be introduced by the House.

March 3, 1984

How can you set yourself above the Governor, the Legislature, and most importantly the people to run in opposition to those directions mandated of you and your department to take?

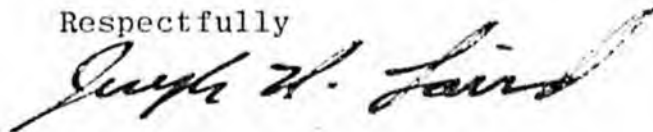
Dr. Rabbeau was asked in the HESS Finance subcommittee meeting what position your department took in planning for the Developmentally Disabled? His response was that this issue was not an issue, not a priority. He intimated no planning is being done or will be done.

Let me assure you Dr. we will write the plan for you and hopefully in its writing will determine a means to exclude your need or your department's need for continuence.

I commend the Governor and the Legislature for their understanding and support of the concerns of Developmentally Disabled People. I commend the Governor in his proclamation calling this the decade of the disabled. I commend the Governor for opening his home here in Anchorage for a reception for Special Olympics to support Developmentally Disabled People. I commend the Legislature both House and Senate for their tremendous support this year.

I ask of the Governor and the Legislature how we, all of us, can continue to allow you and your department to run in direct opposition to us?

Respectfully



Joseph H. Laird  
President - Association Retarded Citizens of Alaska

CC. Governor Bill Sheffield  
Alaska State Legislature  
Anchorage Times  
Anchorage Daily News



**ASSOCIATION FOR RETARDED CITIZENS OF ANCHORAGE, INC.**

(907) 277-6677 • P.O. BOX 4-BBB • Anchorage, Alaska 99509 • 2211 Arca Drive

March 5, 1984

Representative Mae Fischer  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Mae

I wish to express my deepest appreciation in all that you have done to assist us in meeting the needs of the developmentally disabled. We are not through the woods but you and others like you give a beacon to light our path. I give you my sincere pledge that the things promoted to you will be accomplished to the best of my ability and while I can still draw a breath.

As a business person, I have experienced first hand what can be done in a shared partnership with government, people, business, and the community working together. Mary Jane speaks of you with pride and reverence, I see now that her judgement is well placed.

I firmly believe that community programs are most cost effective and with the full utilization of the partnership can continue to remain that way. Assuming all things planned for our recreation center can be brought forth, I envision the soon to be realized ability to make our program totally self sufficient. If we are able to bring in the rental incomes available in our overall program, we may never need State or Municipal assistance, while providing tremendous programs for the developmentally disabled.

Thank you again, If down the road I may assist you in any way, please call on me.

Respectfully

Joseph H. Laird  
President - Board of Directors  
Association for Retarded Citizens of Anchorage



# J.A.R.C.

3/17/84  
P.O. Box 1495  
JUNEAU, ALASKA  
99802

## Juneau Association for Retarded Citizens

"Retarded Children CAN Be Helped"

Kim Pam Willbeters, the President of the Juneau Association for Retarded Citizens. The Juneau ARC is in favor of House Resolution 13, as we believe this is a basic statement of Human Rights for Alaskans who have developmental disabilities.

Also, we would like to urge you to increase the budget for community services that Governor Sheffield has already adopted. There are families in the Juneau ARC that have needed community services for years. A 3.6 million dollar increase will meet the current needs for community services throughout Alaska, including Juneau. We appreciate your interest in the ~~developmentally~~ developmentally disabled population in Alaska.

Pamela Ann Willbeters