

Executive Document

Governor's Executive Order Constituting the Utah Governor's Council for People with Disabilities.

Issued: February 4, 1994

(Office of Administrative Rules Note: This Executive Order is superseded by [Executive Order](#) issued 04/03/2001)

EXECUTIVE ORDER

WHEREAS, there is a need for a state council to facilitate the coordination of services and planning for people with developmental disabilities, and for all persons with disabilities who have needs for similar programs and services regardless of age of onset or cause of disability; and

WHEREAS, Public Law 91-157, the Developmental Disabilities Services and Facilities Act of 1970, as revised and amended by Public Law 101-496 (1990), the Developmental Disabilities Assistance and Bill of Rights Act, requires the Governor to designate a state planning council on services and facilities for persons with developmental disabilities and requires representation on this council from certain classifications of individuals as set forth in said Act, specifying responsibilities for this council; and

WHEREAS, Section 63-81-1, Utah Code Annotated, establishes the Utah Governor's Council for People with Disabilities, formerly known as the Utah Council for Handicapped and Developmentally Disabled Persons, and directs the Governor to appoint the members of that Council from certain classifications of individuals, as set forth in that Act, and assigns certain functions to that Council; and

WHEREAS, efficiency, economy, and coordination of advisory and planning activities requires the collaboration of such entities to aid the development of a comprehensive system of services for people with disabilities in the State of Utah;

NOW, THEREFORE, I, Michael O. Leavitt, Governor of the State of Utah, by virtue of the power vested in me by the Constitution and the Laws of the State, do hereby constitute a council to be known as the Utah Governor's Council for People with Disabilities, and do hereby appoint the following persons to that Council:

(1) (a) the Director of Special Education, representing the State Office of Education;

(b) the Director of the Medicaid Agency within the Department of Health, representing the Title XIX agency;

(c) the Director of Family Health Services within the Department of Health, representing the Part H Program;

(d) the Director of the University Affiliated Program, representing Higher Education;

(e) the Director of the State Office of Rehabilitation Services, representing Vocational Rehabilitation Services;

(f) the Director of the Division of Services for People with Disabilities, representing the State Developmental Disabilities Program;

(g) the Director of the Division of Aging and Adult Services within the Department of Human Services, representing the Older Americans Program;

(h) the Director of the Division of Mental Health within the Department of Human Services, representing mental health services; and

(i) the Director of the Legal Center for Persons with Disabilities, representing the protection and advocacy system.

(2) Members serving on the Council in the above named capacity shall serve so long as they occupy the indicated position in state government. If their employment in state government in the indicated capacity is terminated, their membership on the Council shall automatically be terminated.

(3) Additional citizen members shall be nominated by the Council and appointed by the Governor in accordance with P.L. 101-496. These members shall be constituted as follows:

(a) At least one-half of the members of the entire Council shall consist of persons with developmental disabilities, parents or guardians of persons with developmental disabilities, or immediate relatives or guardians of persons with mentally impairing developmental disabilities.

(b) Of the one-half indicated in Subsection (a) above, at least one-third shall be persons with developmental disabilities, at least one-third shall be parents or guardians or immediate relatives of persons with mentally impairing developmental disabilities, and at least one shall be an immediate relative or guardian of an institutionalized or previously institutionalized person with a developmental disability.

(c) Two members shall be members of the Utah State Legislature, one from each House.

(4) The citizen and Legislative members shall be appointed for a term of three years, and may be reappointed for one succeeding three year term.

(5) The Governor shall appoint the chairperson of the Council from among its members.

(6) Additional non-voting members may serve as liaisons and shall be residents of Utah who are representatives of advocacy organizations, provider agencies, or individual advocates for persons with disabilities.

(7) The Council may recommend to the Governor names of candidates to fill vacancies on the Council. Each such candidate shall meet the requirements specified for the member being replaced..

IT IS FURTHER ORDERED that the primary functions of the Council shall be as follows:

- (1) To advocate for the collective needs of people with disabilities, especially for those with the most significant disabilities.
- (2) To facilitate the coordination of services and to plan for people with disabilities.
- (3) To identify deficiencies in the statewide service network for people with disabilities and establish and implement initiatives for improving that network.
- (4) To develop and recommend to the Governor and the Legislature refinements in the definition of persons with developmental disabilities or who have conditions requiring similar types of programs and services.
- (5) To monitor the range, scope, and size of agency programs and evaluate their effectiveness in meeting the needs of people with disabilities, and to make recommendations for changes to better meet the needs of people with disabilities.
- (6) To assess the needs of and recommend programs for people with disabilities to the state Office of Rehabilitation Services, the State Office of Education, the state Department of Human Services, the state Department of Health, and other departments of state government.
- (7) To develop the Developmental Disabilities State Plan jointly with the Office of Rehabilitation Services, the State Office of Education, the Department of Human Services, the Department of Health, and other departments of state government, monitoring and evaluating the implementation of the plan to ensure that the established purposes of the plans are achieved.
- (8) To recommend to the Governor and the Legislature matters of a policy and/or budgetary nature which may require executive or legislative action in order to promote the quality of life and guarantee the rights and dignity of people with disabilities.
- (9) To issue reports to the Governor, the Legislature, agencies of state government, and the Secretary of Health and Human Services, as appropriate.
- (10) To meet at least quarterly at a time and place determined at the call of the chairperson. The Council may adopt procedures and by-laws to govern its activities, may provide for the election of a vice-chair, and may recommend for the Governor's consideration, the need for additional membership, and a redefinition of the Council functions as they become apparent through Council deliberation.

IT IS FURTHER ORDERED that staff support for the Council shall be provided from funds made available to the State from the Developmental Disabilities Assistance and Bill of Rights Act, together with other state funds as are required.

IT IS FURTHER ORDERED that the Executive Order issued on February 16, 1983, is hereby superseded.

IN WITNESS WHEREOF, I have here unto set my hand and cause to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 4th day of February, 1994.

(State Seal)

Michael O. Leavitt
Governor

Attest:

Olene S. Walker
Lieutenant Governor

Additional Information

Each executive document is published from an electronic version provided by the Governor's Office. Occasionally, special symbols or characters may appear in the original document, e.g., a section character for the word "section", a publishing quote for a regular quote, among others. These special symbols or characters may not translate well across computer systems or applications. In cases where special symbols or characters have been used in the original, the Office of Administrative Rules may substitute the full word or standard character.

For questions regarding the *content* or *application* of this document, please contact the Governor's Office at [801-538-1000](tel:801-538-1000) or at [the Governor's Office's online contact form](#).

Further historical executive documents may be found at the [Office of Administrative Rules' Executive Documents resource](#) or the [Division of Archives and Records Service's Governors' Records research guides](#).

(Office of Administrative Rules Note: This Executive Order is superseded by [Executive Order](#) issued 04/03/2001)