

Public Law 101-496
101st Congress

An Act

To revise and extend the Developmental Disabilities Assistance and Bill of Rights Act.

Oct. 31, 1990
[S. 2753]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Developmental Disabilities Assistance and Bill of Rights Act of 1990".

Developmental
Disabilities
Assistance and
Bill of Rights
Act of 1990.
42 USC 6000
note.

SEC. 2. REFERENCE.

Except as otherwise provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Developmental Disabilities Assistance and Bill of Rights Act.

SEC. 3. FINDINGS AND PURPOSES.

Section 101 of the Act is amended—

42 USC 6000.

(1) in subsection (a)—

(A) by striking "there are more than two" in paragraph

(1) and inserting "in 1990 there are more than three";

(B) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively; and

(C) by inserting after paragraph (6) the following new paragraph:

"(7) a substantial portion of persons with developmental disabilities remain unserved or underserved;"; and

(2) in subsection (b)—

(A) by striking "and" at the end of paragraph (2);

(B) by redesignating paragraph (3) as paragraph (8); and

(C) by inserting after paragraph (2) the following new paragraphs:

"(3) to provide interdisciplinary training and technical assistance to professionals, paraprofessionals, family members, and individuals with developmental disabilities;

"(4) to advocate for public policy change and community acceptance of all people with developmental disabilities and their families so that such persons receive the services, supports and other assistance and opportunities necessary to enable such persons to achieve their maximum potential through increased independence, productivity and integration into the community;

"(5) to promote the inclusion of all persons with developmental disabilities, including persons with the most severe disabilities, in community life;

"(6) to promote the interdependent activity of all persons with developmental disabilities, including persons with the most severe disabilities;

“(7) to recognize the contribution of all persons with developmental disabilities as such persons share their talents at home, school, and work, and in recreation and leisure time; and”.

SEC. 4. DEFINITIONS.

42 USC 6001.

Section 102 of the Act is amended—

- (1) in paragraph (5)—
 - (A) by inserting “5 years of age or older” after “of a person”;
 - (B) by striking the period at the end of subparagraph (E) and inserting a semicolon; and
 - (C) by adding after and below subparagraph (E) the following:

“except that such term, when applied to infants and young children means individuals from birth to age 5, inclusive, who have substantial developmental delay or specific congenital or acquired conditions with a high probability of resulting in developmental disabilities if services are not provided.”;
- (2) in paragraph (8), by striking “nondisabled citizens” each place such term appears and inserting “citizens without disabilities”;
- (3) in subparagraph (A) of paragraph (8)—
 - (A) by striking “and” at the end of clause (i);
 - (B) by inserting “and integrated employment,” after “activities” in clause (ii); and
 - (C) by inserting before the matter at the end of subparagraph (A) the following new clauses:
 - “(iii) use of the same community resources by persons with developmental disabilities living, learning, working, and enjoying life in regular contact with citizens without disabilities, and
 - “(iv) development of friendships and relationships with persons without disabilities.”;
- (4) in subparagraph (B) of paragraph (8), by striking “or in home-like settings”;
- (5) in paragraph (9), by striking “specialized services or special adaptation of generic services” each place such term appears and inserting “special adaptation of generic services or specialized services”;
- (6) in clause (iv) of paragraph (9)(B)—
 - (A) by striking “models” and inserting “approaches, strategies”; and
 - (B) by inserting “Federal, State and local” before “policy-makers”;
- (7) in paragraph (10), by striking “case management” and inserting “system coordination and community education”;
- (8) in paragraph (12), by striking “and family support services” and inserting “, individual, family and community supports”;
- (9) in subparagraph (B) of paragraph (17), by inserting “and their families” after “disabilities” each place such appears;
- (10) by striking paragraph (21) and inserting the following new paragraph:

“(21) The term ‘protection and advocacy system’ means a protection and advocacy system established in accordance with section 142.”;