THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1183 Session of 2015

INTRODUCED BY COHEN, BISHOP, V. BROWN, CALTAGIRONE, DRISCOLL, HARKINS, J. HARRIS, KINSEY, KIRKLAND, McNEILL, MURT, PASHINSKI, ROEBUCK AND THOMAS, MAY 11, 2015

REFERRED TO COMMITTEE ON HUMAN SERVICES, MAY 11, 2015

AN ACT

- Relating to the delivery of services and programs to persons
 with disabilities; conferring powers and duties on the Office
 of the Governor; establishing the Office for People with
 Disabilities, Cabinet for People with Disabilities and
 Advisory Committee for People with Disabilities; and
 providing for their powers, duties and funding.
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- 8 The General Assembly of the Commonwealth of Pennsylvania
- 9 hereby enacts as follows:
- 10 CHAPTER 1
- 11 PRELIMINARY PROVISIONS
- 12 Section 101. Short title.
- 13 This act shall be known and may be cited as the Office for
- 14 People with Disabilities Act.
- 15 Section 102. Definitions.
- 16 The following words and phrases when used in this act shall
- 17 have the meanings given to them in this section unless the
- 18 context clearly indicates otherwise:
- "Advisory committee." The Advisory Committee for People with
- 20 Disabilities established by this act.
- 21 "Cabinet." The Governor's Cabinet for People with
- 22 Disabilities established by this act.
- "Office." The Office for People with Disabilities
- 24 established by this act.
- 25 "Person with a disability." A child or adult in this
- 26 Commonwealth who has a physical or mental impairment that
- 27 substantially limits one or more major life activities.
- 28 CHAPTER 3
- 29 OFFICE FOR PEOPLE WITH DISABILITIES
- 30 Section 301. Establishment.

- 1 The Office for People with Disabilities is established within
- 2 the Office of the Governor. The office shall be administered by
- 3 the Office of the Governor.
- 4 Section 302. Powers and duties of office.
- 5 The office shall:
- 6 (1) Make recommendations to the Governor on policies,
- 7 procedures, regulations and legislation that aid people with
- 8 disabilities in this Commonwealth.
- 9 (2) Serve as the Governor's liaison to people with
- 10 disabilities on policies, procedures, regulations and
- 11 legislation that affect people with disabilities to ensure
- 12 that State government is accessible, accountable and
- 13 responsive to people with disabilities.
- 14 (3) Serve as a resource to State agencies under the
- Governor's jurisdiction to ensure that the agencies are
- 16 cognizant of the needs of people with disabilities and that
- their respective services and programs are accessible to
- 18 those individuals.
- 19 (4) Work with the Governor and State agencies to ensure
- 20 the efficient and effective delivery of services to people
- 21 with disabilities by:
- 22 (i) Facilitating cooperation among State agencies as
- 23 to their disability-related functions.
- 24 (ii) Serving as a liaison between the advisory
- committee and State agencies.
- 26 (5) Work with the Governor and State agencies to advance
- 27 the hiring, retention and promotion practices of the
- 28 Commonwealth relating to the employment of people with
- 29 disabilities to ensure that there are no discriminatory
- 30 practices.

- 1 (6) Employ an executive director to carry out the duties
- of this section, who shall have the additional duty of
- 3 arranging for meetings of the cabinet, the advisory committee
- 4 and, upon request of the advisory committee chairperson,
- 5 joint meetings of the two bodies.
- 6 CHAPTER 5
- 7 CABINET FOR PEOPLE WITH DISABILITIES
- 8 Section 501. Establishment.
- 9 The Governor's Cabinet for People with Disabilities is
- 10 established.
- 11 Section 502. Membership.
- 12 The cabinet shall consist of the following members, or their
- 13 designees, who shall serve by virtue of their public position:
- 14 (1) Secretary of Human Services.
- 15 (2) Secretary of Labor and Industry.
- 16 (3) Secretary of Health.
- 17 (4) Secretary of Education.
- 18 (5) Secretary of Transportation.
- 19 (6) Secretary of the Budget.
- 20 (7) Secretary of Aging.
- 21 (8) Secretary of Policy and Planning.
- 22 (9) Adjutant General.
- 23 (10) Secretary of the Commonwealth.
- 24 (11) Chairperson of the Pennsylvania Human Relations
- 25 Commission.
- 26 (12) Executive Director of the Pennsylvania Housing
- 27 Finance Agency.
- 28 (13) Executive Director of the Pennsylvania
- 29 Developmental Disabilities Planning Council.
- 30 (14) Executive Director of the Office for People with

- 1 Disabilities.
- 2 (15) Executive Director of the Intra-Governmental
- 3 Council on Long-Term Care.
- 4 Section 503. Responsibilities of cabinet.
- 5 (a) Responsibilities. -- The responsibilities of the cabinet
- 6 are as follows:
- 7 (1) To make recommendations on policies, procedures,
- 8 regulations and legislation that aid people with disabilities
- 9 in this Commonwealth to the Governor based upon
- 10 recommendations, resolutions and other information received
- 11 by the advisory committee.
- 12 (2) To meet no less that twice annually to consider
- 13 recommendations from the advisory committee and other
- 14 disability-related matters.
- 15 (b) Chairperson. -- The members of the cabinet shall elect a
- 16 chairperson from among the members, who shall serve in that
- 17 capacity until a successor is appointed.
- 18 CHAPTER 7
- 19 ADVISORY COMMITTEE FOR PEOPLE WITH DISABILITIES
- 20 Section 701. Establishment.
- 21 The Advisory Committee for People with Disabilities is
- 22 established within the Office for People with Disabilities.
- 23 Section 702. Responsibilities.
- The advisory committee shall serve in an advisory capacity to
- 25 the cabinet in matters regarding people with disabilities in
- 26 this Commonwealth.
- 27 Section 703. Membership.
- 28 (a) Members. -- The advisory committee shall consist of
- 29 members appointed as follows:
- 30 (1) The Governor shall appoint persons with

- disabilities, including individuals from existing stakeholder
- groups, in such number as the Governor deems appropriate.
- 3 (2) At a minimum, 60% of these members shall be persons
- 4 with disabilities or family members of persons with
- 5 disabilities.
- 6 (3) Members shall be selected based upon an evaluation
- 7 of information received through formal application.
- 8 (4) Members appointed shall serve at the pleasure of the
- 9 Governor as long as they represent the interest of the
- 10 membership class for which they were appointed and shall
- 11 serve until their successors are appointed.
- 12 (b) Chairperson. -- The members of the advisory committee
- 13 shall elect a chairperson from among the members. Ballots may be
- 14 cast either in person or by proxy.
- 15 (c) Expenses of members. -- The executive director shall make
- 16 every effort to minimize the cost of meetings through the use of
- 17 videoconferencing or other electronic meeting devices. Members
- 18 of the advisory committee shall receive no compensation for
- 19 their services. Members who are not employees of State
- 20 government shall be reimbursed for expenses incurred in the
- 21 course of their duties in accordance with Commonwealth policy.
- 22 (d) Studies and reports. -- The advisory committee may conduct
- 23 studies and issue reports upon request and as it deems necessary
- 24 on issues affecting persons with disabilities in this
- 25 Commonwealth.
- 26 (e) Construction. -- Nothing in this section shall be
- 27 construed to prevent the advisory committee from establishing ad
- 28 hoc work groups or local committees to assist in research and
- 29 other duties necessary to carry out the mission of the office.
- 30 (f) Work with cabinet. -- The cabinet and the advisory

- 1 committee shall meet jointly at least once a year. The advisory
- 2 committee may request additional joint meetings with the cabinet
- 3 to facilitate communications. Representatives of the cabinet
- 4 shall attend advisory committee meetings.
- 5 (g) Existing committees.--The establishment of the advisory
- 6 committee is not intended to replace any existing committee that
- 7 performs a similar advisory function.
- 8 CHAPTER 9
- 9 MISCELLANEOUS PROVISIONS
- 10 Section 901. Responsibilities of State agencies.
- 11 State agencies shall cooperate with and provide necessary
- 12 assistance to the cabinet and advisory committee in performing
- 13 their functions.
- 14 Section 902. Cooperation.
- 15 In implementing this act, the cabinet and advisory committee
- 16 shall utilize existing resources available through the
- 17 Commonwealth and donated resources of members before incurring
- 18 additional expenses.
- 19 Section 903. Funding.
- 20 The Office of the Governor shall use Federal funds where
- 21 possible for the administration of the Office for People with
- 22 Disabilities, the Governor's Cabinet for People with
- 23 Disabilities and the Advisory Committee for People with
- 24 Disabilities and shall expend Federal funds, on appropriation by
- 25 the General Assembly, prior to expending any State
- 26 appropriations for the same or similar purpose. The Office of
- 27 the Governor shall utilize any available private funds to carry
- 28 out the provisions of this act.
- 29 Section 904. Effective date.
- This act shall take effect in 60 days.