

Assembly Bill No. 1213

Passed the Assembly May 14, 2009

Chief Clerk of the Assembly

Passed the Senate August 24, 2010

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 12803.65 of the Government Code, relating to disabilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1213, Skinner. Employment of persons with disabilities: California Governor's Committee on Employment of People with Disabilities.

Existing law requires the California Health and Human Services Agency and the Labor and Workforce Development Agency, using existing resources, to create a sustainable, comprehensive strategy to accomplish various goals aimed at bringing persons with disabilities into employment.

Existing law requires the Governor to establish the California Governor's Committee on Employment of People with Disabilities, requires the committee to be established in the Labor and Workforce Development Agency, and specifies the membership of the committee. Existing law requires the committee to, among other things, consult with and advise the Labor and Workforce Development Agency and the California Health and Human Services Agency on all issues related to full inclusion in the workforce of persons with disabilities.

This bill would provide that the Superintendent of Public Instruction shall be a member of the committee.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) California receives federal funding in the form of a Medicaid Infrastructure Grant (MIG) that enables the State Department of Health Care Services to administer the California Health Incentive Improvement Project (CHIIP).

(b) CHIIP improves upon the provisions in Section 14007.9 of the Welfare and Institutions Code, referred to as the 250% California Working Disabled Program (CWD), and supports increased employment outcomes for Californians with disabilities

through a variety of activities focused on implementing Chapter 1088 of the Statutes of 2002 (Assembly Bill 925, introduced by Assembly Member Aroner), including the sustainable, comprehensive strategy to accomplish various goals aimed at bringing persons with disabilities into employment that Chapter 1088 required the California Health and Human Services Agency and the Labor and Workforce Development Agency to create. The California Health and Human Services Agency and the Labor and Workforce Development Agency had a sustainable, comprehensive strategy approved in 2006.

(c) Chapter 758 of the Statutes of 2008 (Assembly Bill 1183) made the 250% California Working Disabled Program permanent.

(d) The federal Ticket to Work and Work Incentive Improvement Act of 1999 (Public Law 106-170) increased opportunities for states to remove and minimize barriers to employment for people with disabilities by improving access to health care coverage under Medicare and Medicaid.

(e) Beginning February 1, 2002, the Social Security Administrative Ticket to Work Program (TTW) began a state-by-state phase in period nationally, allowing Social Security Income (SSI) and Social Security Disability Insurance (SSDI) beneficiaries to receive a “ticket” from the Social Security Administration that can be assigned for employment services to a wider pool of rehabilitation, employment, or other employment support service providers.

(f) The TTW has begun to be implemented in California and, as of July 21, 2008, the Social Security Administration implemented improvements to its payments and its business methods for employment outcomes of its disability beneficiaries, which have the potential to add revenues to California public, private, and nonprofit service providers without an annual budget cap for the foreseeable future.

SEC. 2. Section 12803.65 of the Government Code is amended to read:

12803.65. (a) The Governor shall rename and establish, in the Labor and Workforce Development Agency, the existing California Governor’s Committee on Employment of Disabled Persons as the “California Governor’s Committee on Employment of People with Disabilities” or “CGCEPD.”

(b) (1) The California Governor's Committee on Employment of People with Disabilities shall include, but not be limited to, the following:

(A) Four individuals with disabilities representing disabled persons, two appointed by the Governor and one each appointed by the Senate Committee on Rules and the Speaker of the Assembly, each for a three-year term.

(B) The Directors of the Employment Development Department, State Department of Health Care Services, State Department of Mental Health, State Department of Developmental Services, State Department of Social Services, and Department of Rehabilitation, and the Chair of the State Independent Living Council.

(C) Representatives from the State Department of Health Care Services' California Health Incentive Improvement Project.

(D) A representative from the California Workforce Investment Board.

(E) Representatives from any other department or program that may have a role in increasing the capacity of state programs to support the employment-related needs of individuals with disabilities.

(F) A representative from a local one-stop or local workforce investment board, to be appointed by the Governor.

(G) A business representative with experience in employing persons with disabilities, to be appointed by the Governor.

(H) The Superintendent of Public Instruction.

(2) The members of the California Governor's Committee on Employment of People with Disabilities shall select a chair from among the members, and shall hold open meetings no less than quarterly.

(c) The California Governor's Committee on Employment of People with Disabilities shall consult with and advise the Labor and Workforce Development Agency and the California Health and Human Services Agency on all issues related to full inclusion in the workforce of persons with disabilities, including development of the comprehensive strategy required pursuant to Section 12803.6 and implementation of the grant program established pursuant to Section 12803.7.

(d) The California Governor's Committee on Employment of People with Disabilities shall also:

(1) Coordinate and provide leadership, as necessary, with regard to efforts to increase inclusion in the workforce of persons with disabilities.

(2) Report annually to the Legislature and the Governor on the employment status of Californians with disabilities.

(e) The California Governor's Committee on Employment of People with Disabilities shall provide support to the State Workforce Investment Board and the local one-stop centers in their efforts to achieve full compliance with Sections 18002, 18004, 18006, and 18008 of the Unemployment Insurance Code, and shall identify the extent to which any one-stops are not in full compliance with those sections and the reasons for the lack of compliance, including the need for additional resources.

(f) The California Governor's Committee on Employment of People with Disabilities shall meet quarterly with the California Health Incentive Improvement Project, administered by the State Department of Health Care Services, and the project's steering committee, to the extent funding for the project continues and the activities of the California Governor's Committee on Employment of People with Disabilities are not inconsistent with the charge of the California Health Incentive Improvement Project.

(g) Using existing funding, the California Governor's Committee on Employment of People with Disabilities shall facilitate, promote, and coordinate collaborative dissemination of information on employment supports and benefits, which shall include the Ticket to Work program and health benefits, to individuals with disabilities, consumers of public services, employers, service providers, and state and local agency staff.

(h) Using existing funding, the California Governor's Committee on Employment of People with Disabilities shall receive primary administrative and staff support from the Employment Development Department.

Approved _____, 2010

Governor