

Rules of
Department of Mental Health
Division 45—Division of Mental Retardation and
Developmental Disabilities
Chapter 6—Advisory Councils

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Title 9—DEPARTMENT OF MENTAL HEALTH

Division 45—Division of Mental Retardation and Developmental Disabilities

Chapter 6—Advisory Councils

9 CSR 45-6.010 Guidelines for Mem- bership on Regional Developmental Dis- abilities Advisory Councils

PURPOSE: This rule establishes nomination and membership requirements for regional developmental disabilities advisory councils. This rule also describes the role of the Missouri Planning Council and its staff in the nomination process and in the recording of membership information.

(1) Definitions.

(A) Consumer—

1. A person who qualifies to receive division services;
2. A parent, child or sibling of a person who qualifies or is receiving division services;
3. An individual with a personal interest in services provided by the division; or
4. Not-for-profit board members.

(B) Vendor—A facility employee, board member/officer or his/her spouse for providing service to individuals with developmental disabilities who receive more than fifteen hundred dollars (\$1500) per year from the Department of Mental Health (DMH). Not-for-profit board members who also qualify as consumers are exempt from this definition.

(C) Provider—A person who provides services to individuals with developmental disabilities but does not receive more than fifteen hundred dollars (\$1500) per year from the DMH.

(D) Allied health care professional—A person who is in a health care profession and is providing services to individuals with developmental disabilities, including but not limited to, physicians, nurses, occupational therapists, physical therapists, medical social workers and clinical psychologists.

(E) County board representative—Any employee or board member of a county board established through sections 205.968—205.972, RSMo and designated by that board as its representative. Unless so designated, a county board member who is also a parent may serve as a consumer member of the regional council.

(2) Requirements.

(A) The regional councils shall submit annual nominations by May 15 to the direc-

tor, Division of Mental Retardation and Developmental Disabilities.

1. If the division director concurs and if the proposed slate of nominees would maintain compliance with membership requirements, those nominees will be appointed by the division director.

2. If the division director does not concur with a region's nominations—

A. The division director will register the division's objections in writing with the regional council by June 1; and

B. The regional council will then have three (3) months to submit an alternate.

3. This nomination process will be used throughout the year as vacancies occur.

(B) A person may be renominated for membership if one (1) full year has lapsed since the person was last a member of the council.

(C) A current membership roster of all regional developmental disabilities councils shall be maintained by the Missouri Planning Council staff and will include: member's name, membership slot, term of membership, county of residence and appointment date.

(D) Each regional advisory council may have up to twenty (20) members.

1. Councils will make every effort to include as members persons who have developmental disabilities, and representatives of minority populations, or both.

2. Each member must be a resident of the region served by the council.

3. The regional council shall be encouraged to maintain membership from each county in its region.

(E) Members are appointed to staggered three (3)-year terms.

1. The terms for one-third (1/3) of each council's members shall expire on June 30 of each year.

2. All members may serve two (2) consecutive full terms and the unserved portion of a previous member's term which has been vacated.

(F) At least one-half (1/2) of the members shall be consumers.

1. Of members who are consumers—one (1) must be a parent or guardian of a person residing in a state-operated residential facility.

2. If such a person is not available, a parent or guardian of a person formerly residing in a state-operated residential facility may serve.

3. Of the members who are consumers—one (1) must be a parent or guardian of a person receiving DMH program services in the community.

(G) No more than the smaller of either—a) five (5) members or b) one-fourth (1/4) of

the full membership can be vendors. Vendor representatives are not required to resign in order that the council meet the one-fourth (1/4) maximum requirement when consumer membership slots are temporarily vacant, as long as there are available slots for the consumers to be added.

(H) Providers may be council members.

(I) County board representatives may be council members.

(J) County board members who are parents of children with developmental disabilities may serve as consumer members.

1. A vendor, provider or county board representative may not immediately succeed another representative of their same facility as a council member.

(K) Local membership from each of the following is required: Department of Elementary and Secondary Education, Department of Social Services, Division of Vocational Rehabilitation and allied health care professions.

1. Representatives from service agencies should be knowledgeable about their agencies' services which benefit persons with developmental disabilities.

2. With suggestions and parameters provided by the council, these representatives should be nominated by the highest ranking agency official in the region.

*AUTHORITY: section 633.040, RSMo (1994). * This rule was originally filed as 9 CSR 10-1.030. Original rule filed July 1, 1988, effective Nov. 25, 1988. Amended: Filed May 25, 1995, effective Dec. 30, 1995.*

**Original authority: 633.040, RSMo 1980.*