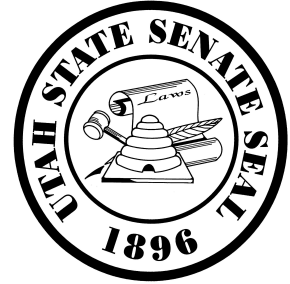




Performance Note
HB0378 - Disability Act
Compliance Requirements
Sponsor: Rep. Dailey-Provost,
Jennifer



Performance Note Report

Author: Marshall Christensen

Agency: Department of Human Services

Funding For:

New Services or Benefit

Public Benefit:

Purpose: There is created within the division the 'Disability Ombudsman Program' for the purpose of promoting and advocating for the rights and privileges of an individual with a disability and ensuring that the rights and privileges of an individual with a disability are upheld.

Services: Information regarding the role and duties of the ombudsman to individuals and community partners in the state; provide information to private citizens, civic groups, government entities, and other interested parties in the state about the rights and privileges of an individual with a disability; develop a website to provide the information described in Subsections (3)(a) and in a form that is easily accessible; receive and process complaints; and conduct investigations and provide reports and referrals in accordance with this bill.

Expected Outcome: The ombudsman shall:(a) develop and maintain expertise in federal and state laws and policies governing rights and privileges of an individual with a disability;(b) establish procedures for and engage in: (i) receiving and processing a complaint; (ii) conducting an investigation in accordance with Section 62A-5-504; (iii) developing a report of findings of an investigation; and (iv) assisting a complainant to resolve the complaint, including referring the complainant to a governmental entity or another individual or entity that has the capacity to resolve the complaint; and(c) cooperate and coordinate with governmental entities and other organizations in the community in exercising the duties under Subsection (1) (b).The ombudsman may: (a) recommend rules to be made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that the ombudsman considers necessary to carry out the purposes of the ombudsman program; and (b) within appropriations from the Legislature, employ staff as may be necessary to carry out the purposes of the ombudsman program and the ombudsman's duties under this part.

Implementations and Resources: With the appropriation of the funds included in the fiscal note, three staff personnel will be hired to carry out the requirements of the bill. These personnel will be located in three cities that are located in Ogden, Salt Lake City and St. George to enable investigations across the state. One will act as the manager of the program.Resources of DSPD will be available to assist and provide technical assistance for web site development.The program manager will report to the DSPD Assistant Director.

How: By providing one place for complaints regarding Americans with Disabilities Act (ADA) compliance and investigations of these complaints, the process will become more focused and available for those covered by the ADA.

Performance Measures

Goal

Title: Percent of Complaints Resolved to the Satisfaction of the Complainant.

Description: Percent of Complaints Resolved to the Satisfaction of the Complainant.

Collection Method: By recording each complaint and the results of the investigation regarding complainant satisfaction.

	2020	2021	2022
%	0.00	60.00	65.00
Baseline	0.00	0.00	0.00

By rule, performance notes are provided by the governmental entity that will supervise the new agency or administer the new program. Performance notes are not written by the Office of the Legislative Fiscal Analyst.