

Program Instructions
AIDD-PI-16-2
Issued: 9-14-2016

TO:

Directors, Designated State Agencies
Executive Directors, State Councils on Developmental Disabilities
Chairpersons, State Councils on Developmental Disabilities

SUBJECT:

Family Members Serving on State Councils on Developmental Disabilities

BACKGROUND:

The Administration on Intellectual and Developmental Disabilities (AIDD) has received questions from several State Councils on Developmental Disabilities (DD Councils) and the National Association of Councils on Developmental Disabilities (NACDD) about who may serve in the family member role on the DD Councils and if family member of deceased individuals with developmental disabilities are eligible to serve in the family member role.

DISCUSSION:

The text of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act) states in Section 125 (b)(3)(ii) and (iii) “parents or guardians of children with developmental disabilities; or immediate relatives or guardians of adults with mentally impairing developmental disabilities who cannot advocate for themselves...”

AIDD believes that the intent of the DD Act is for the family member role to be filled by a family member of living individuals with developmental disabilities to be represented on the DD Council.

The DD Act in Section 125 (b)(1)(B) does encourage, “...a broad range of individuals with developmental disabilities and individuals interested in individuals with developmental disabilities...” If a family member of a deceased individual wishes to serve on a DD Council, they may seek to be appointed in another capacity on the DD Council.

If a family member is serving a term on a DD Council and their family member with a developmental disability passes away, the family member should finish serving their term and then seek appointment in a non-family member role.

Signed,

s/
Aaron Bishop
Commissioner,
Administration on Disabilities