**Federal Requirements**

**Purpose of Independent Living**

To promote a philosophy of independent living, including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual and system advocacy, in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities, and the integration and full inclusion of individuals with disabilities into the mainstream of American society.

**Administration of the Independent Living Program**

There is established within the Administration for Community Living of the Department of Health and Human Services, an Independent Living Administration. The Independent Living Administration shall be headed by a Director (referred to in this section as the ‘Director’) appointed by the Secretary of Health and Human Services. The Director shall be an individual with substantial knowledge of independent living services. The Independent Living Administration shall be the principal agency, and the Director shall be the principal officer, to carry out this chapter. In performing the functions of the office, the Director shall be directly responsible to the Administrator of the Administration for Community Living

**Resources**

The Secretary shall ensure that the Independent Living Administration has sufficient resources (including designating at least 1 individual from the Office of General Counsel who is knowledgeable about independent living services) to provide technical assistance and support to, and oversight of, the programs funded under this chapter.”

**Services Provided by Centers for Independent Living**

Core services

* Information & Referral
* Individual & Systems Advocacy
* Peer support
* IL skills instruction
* Services that - Facilitate the transition of individuals with significant disabilities from nursing homes and other institutions to home and community-based residences, with the requisite supports and services;
* Provide assistance to individuals with significant disabilities who are at risk of entering institutions so that the individuals may remain in the community; and
* Facilitate the transition of youth who are individuals with significant disabilities, who were eligible for individualized education programs under IDEA and who have completed their secondary education or otherwise left school, to postsecondary life.

**Independent Living Standards**

* Not later than 1 year after the date of enactment of the Workforce Innovation and Opportunity Act, the Administrator shall develop and publish in the Federal Register indicators of minimum compliance for centers for independent living and
* Indicators of minimum compliance for Statewide Independent Living Councils

**Statewide Independent Living Council**

* To be eligible to receive financial assistance under this part, each State shall establish and maintain a Statewide Independent Living Council.
* The Council shall not be established as an entity within a State agency.
* Members of the Council shall be appointed by the Governor

**Statewide Independent Living Council - Members**

The Council shall include -

* A director of a center for independent living chosen by the directors of centers for independent living within the State;
* Among its voting members, for a State in which 1 or more centers for independent living are run by, or in conjunction with, the governing bodies of American Indian tribes located on Federal or State reservations, at least 1 representative of the directors of such centers.

As nonvoting members –

* A representative from the Designated State Entity
* Other State agencies that provide services for individuals with disabilities.

The Council May include -

* Other representatives from centers for independent living;
* Parents and guardians of individuals with disabilities;
* Individuals with Disabilities
* Advocates of and for individuals with disabilities;
* Representatives from private businesses;
* Representatives from organizations that provide services for individuals with disabilities; and
* Other appropriate individuals

**SILC Members Shall**

* Provide statewide representation.
* Represent a broad range of individuals with disabilities from diverse backgrounds.
* Be knowledgeable about centers for independent living and independent living services.
* Be a majority of persons with disabilities not employed by a State agency or CIL

**Statewide Independent Living Council - Duties**

The Council Shall -

* Jointly develop and sign the State plan.
* Monitor, review, and evaluate the implementation of the State plan.
* As appropriate, coordinate activities with other entities in the State that provide services similar to or complimentary to independent living services, such as entities that facilitate the provision of or provide long-term community-based services and supports.
* Ensure that all SILC meetings are open to the public and sufficient notice is provided.
* Submit reports the Administrator may request, and keep such records, as the Administrator finds necessary.
* The Council is authorized to hold such hearings and forums as the Council may determine to be necessary to carry out the duties of the Council.

The Council may, unless prohibited by State Law -

* Work with centers for independent living to coordinate services with public and private entities in order to improve services provided to individuals with disabilities
* Conduct resource development activities to support the activities described in the plan or to support the provision of independent living services by centers for independent living
* Perform such other functions, consistent with the purpose of this chapter and comparable to other functions described in this subsection, **as the Council determines to be appropriate.**

The Council shall not provide independent living services directly to individuals with significant disabilities or manage such services

**State Independent Living Plan**

To be eligible to receive financial assistance under this part, a State shall submit to the Administrator, and obtain approval of, a State plan containing such provisions as the Administrator may require, including, at a minimum, the provisions required in this section.

The plan under paragraph (1) shall be jointly developed and signed by -

* The chairperson of the Statewide Independent Living Council, acting on behalf of and at the direction of the Council and
* The directors of the centers for independent living in the State,
* After receiving public input from individuals with disabilities through the State; and

The Plan Shall –

* Designate the designated State entity of such State as the State agency that, on behalf of the State, shall
  + Receive, account for, and disburse funds received by the State under this part based on the plan:
  + Provide administrative support services.
  + Keep such records and afford such access to such records as the Administrator finds to be necessary with respect to the programs; and
  + Submit such additional information or provide such assurances as the Administrator may require with respect to the programs.
* Specify the objectives to be achieved under the plan and establish timelines for the achievement of the objectives; and
* Explain how such objectives are consistent with and further the purpose of this part.
* The plan shall provide that the State will provide independent living services to individuals with significant disabilities, and will provide the services to such an individual in accordance with an independent living plan unless the individual signs a waiver stating that such a plan is unnecessary
* The plan shall describe the extent and scope of independent living services to be provided.
* The plan shall describe how the State will provide independent living services that promote full access to community life for individuals with significant disabilities.
* The plan shall set forth a design for the establishment of a statewide network of centers for independent living that comply with the standards and assurances.
* With respect to services and centers funded under this part, the plan shall set forth steps to be taken regarding outreach to populations that are unserved or underserved by programs under this subchapter, including minority groups and urban and rural populations.
* The plan shall establish a method for the periodic evaluation of the effectiveness of the plan, including evaluation of satisfaction by individuals with disabilities.

Signed by -

* The chairperson of the Statewide Independent Living Council, acting on behalf of and at the direction of the Council;
* The director of the designated State entity and
* Not less than 51 percent of the directors of the centers for independent living in the State.