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Bill 64

An Act to amend the Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008 respecting transition to adult developmental services and supports

Mrs. L. Gretzky

Private Member's Bill

1st Reading November 28, 2018

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill amends the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*.

The Act is amended to include a definition of children's developmental services and to require the Minister to take certain steps to assist persons receiving a children's developmental service to transition to services and supports provided under the Act. The eligibility for services and supports under the Act is amended to include persons receiving a children's developmental service before turning 18. The Act is also amended to require an application entity to provide services on a temporary basis to a person who turns 18 and was receiving children's developmental services before that day, if the application entity has not yet made a decision on the person's application for services and supports or has found the person eligible but not begun providing services and supports to the person.

**An Act to amend the Services and Supports to Promote the Social Inclusion of
Persons with Developmental Disabilities Act, 2008
respecting transition to adult developmental services and supports**

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 The *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008* is amended by adding the following section:

Children’s developmental services

3.1 For the purposes of this Act, a children’s developmental service is a service that meets the following criteria:

1. In order to be eligible for the service, the person who receives the service must have a developmental disability and be under 18 years of age.
2. The service is provided or funded by a ministry of the Government of Ontario.

2 The Act is amended by adding the following section before the heading “Eligibility”:

Transition to adult services

13.1 The Minister shall, at least 6 months before a person receiving a children’s developmental service turns 18 years old,

- (a) consult with the person or the person’s primary caregiver about transitioning to services and supports or direct funding for services and supports provided under this Act; and
- (b) if the Minister receives the consent of the person consulted under clause (a), submit an application on behalf of the person with a developmental disability to the application entity designated for the geographical area in which the person resides.

3 Clause 14 (2) (a) of the Act is repealed and the following substituted:

- (a) he or she has a developmental disability within the meaning of section 3 and,
 - (i) provides proof of the disability as required under subsection (3), or
 - (ii) was receiving a children’s developmental service immediately before turning 18;

4 The Act is amended by adding the following section:

Continuity of services and supports

17.1 (1) An application entity shall ensure that services are provided to a person who was receiving a children’s developmental service immediately before turning 18 that are equivalent to the children’s developmental service if,

- (a) the application entity received an application from the Minister on behalf of the person under section 13.1; and
- (b) the application entity has not made a decision with respect to the application or has found the applicant to be eligible for services and supports and funding under this Act but has not yet begun providing the services and supports or funding.

Same

(2) The application entity shall ensure that the services are provided beginning on the day the person turns 18 years old until the earlier of the following days:

1. The day on which the applicant entity determines that the person is not eligible for services and supports and funding under this Act.
2. The day on which the application entity begins providing services and supports or funding under this Act to the person, other than in accordance with this section.

Commencement

5 This Act comes into force on the day it receives Royal Assent.

Short title

6 The short title of this Act is *Noah and Gregory's Law (Transition to Adult Developmental Services and Supports), 2018*.