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TO: Legislative Committee on Administrative Rules

FROM: Stuart Schurr, Assistant Attorney General, DAIL 

DATE: January 10, 2013

RE: Attendant Services Program (ASP) Regulations

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On December 13, 2012, the Committee asked the Department to resubmit corrected clean and annotated final versions of the Attendant Services Program (ASP) proposed regulations. These final versions reflect all changes made to the existing Regulations, which were adopted on February 28, 2009, including those requested by the Committee and stakeholders both during and after the December 13, 2012, meeting.

**ASP Regulations: Changes made since 12/13/12, Annotated Version Reference:**

1. Page 2, 103 Definitions, (g) "Activities of Daily Living": Reformatted paragraph to a list format for ease of reading the activities list. Removed the word "continence" at the very end which was inadvertently inserted in the previous version in error.
2. Page 2, 103 Definitions, (g) "Attendant services": Reversed proposed language to remove reference to "extensive and total physical" assistance and took out "Attendant service does not mean cuing, supervision or stand-by assistance."
3. Page 3, 103 Definitions, previously (l) "Extensive Assistance": Removed proposed entire definition of Extensive Assistance, which previously appeared between (k) "Expedited Appeal" and (l) "Grievance".
4. Page 3, 103 Definitions, (n) "Instrumental Activities of Daily Living": Reformatted paragraph to a list format for ease of reading. Expanded the description of IADLs, to include activities that used to be listed as "secondary services" in the old regulations.

5. Page 4, 103 Definitions, (q) "Permanent and Severe Disability": Added the word "anticipated" to the definition to read "...anticipated to last the duration of the individual's life...", as requested by stakeholders.
6. Page 4, 103 Definitions, previously (u) "Total Assistance": Removed proposed entire definition of "Total Assistance", which previously appeared after (r) "Personal Assistance."
7. Page 8, 107 Extent of Services, (f) Special Circumstances: Replaced the previously inaccurate definition (h), which had been removed in its entirety, with a new accurate definition as requested by stakeholders.
8. Page 16, 113 Program Evaluation, (b) Annual Meetings: Took out reference to the committee that was inadvertently left in.
9. Page 16, 113 Program Evaluation, (c) Advisory Committee: Added reference to an advisory committee as requested by stake holders.