



EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NUMBER JBE 2022-18

LOUISIANA STATEWIDE INDEPENDENT LIVING COUNCIL

WHEREAS, the State of Louisiana remains committed to promoting a philosophy of independent living in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities;

WHEREAS, the State of Louisiana also promotes the integration and full inclusion of individuals with disabilities into the mainstream of Louisiana's communities;

WHEREAS, the Federal Rehabilitation Act of 1973, as amended, specifically, 29 U.S.C.A. § 796, was enacted to promote independent living by:

- A. Providing financial assistance to States for providing, expanding, and improving the provision of independent living services;
- B. Providing financial assistance to develop and support statewide networks of centers for independent living; and
- C. Providing financial assistance to states for improving working relationships among independent living partners;

WHEREAS, to be eligible to receive financial assistance under this chapter, each State must establish a Statewide Independent Living Council (hereinafter referred to as "SILC" or "Council");

WHEREAS, reestablishment of this Council at this time is necessary to ensure compliance with current requirements under federal law and to further strengthen working relationships among the Council and entities providing services to individuals with disabilities, centers for independent living, and other programs; and

WHEREAS, the Governor recognizes the Statewide Independent Living Council as an autonomous, independent non-profit which performs a vital service to the citizens of the State of Louisiana, to work in cooperation with the state and federal government, in keeping with the requirements of the Rehabilitation Act of 1973, Chapter I Title VII, 29 USC 796, *et seq.*

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: The State of Louisiana's Statewide Independent Living Council (hereafter "Council") is reestablished and recreated, and recognized by the Governor, in accordance with 29 U.S.C.A. §796d. This Order does not remove those members who are currently serving on the Council pursuant to a valid appointment.

SECTION 2: The duties of the Council shall include, but are not limited to, the following:

- A. Jointly develop and sign (in conjunction with Louisiana Workforce Commission/Louisiana Rehabilitation Services) the State Plan for Independent Living, as described by 29 U.S.C.A. § 796c;

- B. Monitor, review, and evaluate the implementation of the State plan;
- C. Meet regularly and ensure that such meetings of the council are open to the public and sufficient advance notice of such meetings is provided;
- D. Submit to the Administrator such periodic reports as the Administrator may reasonably requests, and keep such records, and afford such access to such records, as the Administrator finds necessary to verify the information in such reports and;
- E. As appropriate, coordinate activities with other entities in the State that provide services similar to or complementary to independent living services, such as entities that facilitate the provision of or provide long-term community-based services and supports.

SECTION 3: The Council shall be composed of twelve (12) to twenty-four (24) members who shall be appointed by the Governor. Membership shall be composed of at least a majority of individuals with disabilities, pursuant to 29 U.S.C. §796(d).

- A. The membership of the Council shall include four members meeting the following membership criteria:
 - i. At least one (1) director of a center for independent living, nominated by the directors of centers for independent living within the state.
 - ii. At least two (2) members serving as *ex officio*, non-voting members: 1) one representative from Louisiana Rehabilitation Services (the designated state unit); and 2) one representative from other state agencies which provide services for individuals with disabilities.
- B. The remaining members of the Council may include:
 - i. To provide equal representation from each Center for Independent Living (“CIL”) and/or its Board of Directors, no more than two (2) representatives from any single CIL or its corresponding board;
 - ii. Parents and guardians of individuals with disabilities;
 - iii. Advocates of and for individuals with disabilities;
 - iv. Representatives from private business; and
 - v. Representatives from organizations that provide services for individuals with disabilities.

SECTION 4: The Council shall be composed of members who provide statewide representation, represent a broad range of individuals with disabilities from diverse backgrounds, and are knowledgeable about centers for independent living and independent living services. A majority of the voting members of the Council shall be individuals with disabilities, as described in 29 U.S.C.A. § 705(20)(B), and shall not employed by any State agency or center for independent living.

SECTION 5: Council members shall serve a term of three (3) years, except members designated to fill a vacancy, who shall serve the remainder of the unexpired term. The Governor may allow a member currently serving on the Council, as was created by BJ 08-73, to finish his or her term. No member shall serve more than two (2) consecutive full terms.

SECTION 6: The Council shall not be an entity within any state agency, including LRS, and is independent of LRS and all other state agencies.

SECTION 7: The Council shall supervise and evaluate its staff and personnel, as may be necessary to carry out the functions of the Council, in a manner consistent with the laws of Louisiana.

SECTION 8: The Council shall maintain its non-profit status in good standing.

SECTION 9: The Council shall report any changes to its bylaws regarding membership or appointments to the Governor for approval.

SECTION 10: All departments, commissions, boards, offices, entities, agencies, and officers of the State of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the Council in implementing the provisions of this Order. The following departments, commissions, boards, offices, entities, agencies and officers of the State of Louisiana are encouraged to provide reports to the SILC at regular meetings to foster a working relationship to better serve the disabled community statewide pursuant to the Council’s mission and purpose:

- A. Department of Transportation and Development
- B. Louisiana Housing Corporation
- C. Governor’s Office of Homeland Security and Emergency Preparedness
- D. Governor’s Office of Elderly Affairs
- E. Office of Adult and Aging Services
- F. Office of Citizens with Developmental Disabilities
- G. Secretary of State
- H. The Louisiana Legislature
- I. Louisiana Department of Health, Louisiana Medicaid
- J. The Office of Behavioral Health

SECTION 11: All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the Council in implementing the provisions of this Order.

SECTION 12: This Order supersedes prior Executive Orders Number 2016-14, and Number 2020-8, and those Orders are hereby rescinded, along with any other provisions in any other prior orders which are incompatible with the provisions of this Order as set forth above.

SECTION 13: Any rules, orders, contracts, and agreements related to the Council lawfully in effect prior to the effective date of this order shall continue to be effective until revised, amended, or repealed.

SECTION 14: If any portion of this order is found to be unenforceable, the rest of the order shall remain in effect.

SECTION 15: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana on this 21st day of September, 2022.

GOVERNOR OF LOUISIANA

**ATTEST BY THE
SECRETARY OF STATE**

SECRETARY OF STATE