WEST VIRGINIA CODE: §18-10M-4

§18-10M-4. Definitions.

Terms used in this article have the same meanings as those provided in the federal Rehabilitation Act, as amended, as follows:

(a) “Consumer control” means circumstances in which individuals with disabilities having decision-making authority.

(b) “Council” means the Statewide Independent Living Council.

(c) “Designated state entity” means the entity designated in the state plan for independent living to receive and administer federal funding as directed by the plan.

(d) “Federal Rehabilitation Act” or “federal act” means the act codified at 29 U. S. C. §701, et. seq.

(e) “Independent living services” means advocacy; independent living skills; training; information and referral; peer counseling; peer support; transition, including 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; facilitate the transition of youth who are individuals with significant disabilities, who were eligible for individualized education programs pursuant to section 614(d) of the federal Individuals with Disabilities Education Act (20 U. S. C. 1414(d)), and who have completed their secondary education or otherwise left school, to post-secondary life; and any other service directed by the state plan which may include, but is not limited to, the following:

(1) Assistive devices and equipment;

(2) Communication services;

(3) Counseling and related services;

(4) Community awareness programs to enhance the understanding and integration into society of individuals with disabilities;

(5) Environmental modifications;

(6) Family services;

(7) Housing advocacy;

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(8) Mobility training;

(9) Personal assistance services;

(10) Prostheses and other appliances and devices; and

(11) Rehabilitation technology.

(f) "Individual with a significant disability" means an individual with a severe physical or mental impairment whose ability to function independently in the family or community or whose ability to obtain, maintain or advance in employment is substantially limited and for whom the delivery of independent living services will improve the ability to function, continue functioning, or move toward functioning independently in the family or community or to continue in employment, respectively.

(g) "State plan" means the state plan for independent living required by the federal Rehabilitation Act of 1973, as amended.

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