

110TH CONGRESS
1ST SESSION

H. R. 2839

To amend the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to require protection and advocacy systems to give notice to, and obtain the authorization of, an individual (or the individual's legal representative) before pursuing remedies on behalf of the individual.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2007

Mr. FRANK of Massachusetts introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to require protection and advocacy systems to give notice to, and obtain the authorization of, an individual (or the individual's legal representative) before pursuing remedies on behalf of the individual.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. NOTICE BY PROTECTION AND ADVOCACY SYS-**

4 **TEMS.**

5 Subsection (a) of section 143 of the Developmental
6 Disabilities Assistance and Bill of Rights Act of 2000 (42
7 U.S.C. 15043) is amended—

1 (1) in clause (i) of paragraph (2)(A), by insert-
2 ing “subject to paragraph (5),” before “pursue legal,
3 administrative, and other appropriate remedies or
4 approaches”;

5 (2) at the end of paragraph (3), by striking
6 “and”;

7 (3) at the end of paragraph (4), by striking the
8 period and inserting “; and”; and

9 (4) by adding at the end the following:

10 “(5) before pursuing any legal, administrative,
11 or other remedy on behalf of an individual under
12 paragraph (2)(A)(i), the system shall give notice to,
13 and obtain the authorization of, the individual or the
14 legal guardian, conservator, or other legal represent-
15 ative of the individual.”.

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