Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

16 December 2010 [shall come into force on 1 January 2011];

8 July 2011 [shall come into force on 1 September 2011];

13 September 2012 [shall come into force on 18 October 2012];

15 November 2012 [shall come into force on 1 January 2013];

19 May 2016 [shall come into force on 20 June 2016];

13 October 2016 [shall come into force on 28 October 2016];

1 November 2018 [shall come into force on 28 November 2018];

13 November 2019 [shall come into force on 1 January 2020];

20 March 2020 [shall come into force on 22 March 2020];

23 November 2020 [shall come into force on 1 January 2021];

25 February 2021 [shall come into force on 3 March 2021].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima* 1 has adopted and

the President has proclaimed the following law:

**Disability Law**

**Chapter I**

**General Provisions**

**Section 1. Terms Used in the Law**

The following terms are used in this Law:

1) **assistant** – a natural person who gives assistance to a person with a very severe or severe level of functioning limitation in performing such activities outside his or her dwelling which due to his or her disability cannot be performed independently, – to get to the place where he or she is studying, working, receiving services; to move about and to take care of himself or herself in an educational institution, in a place of paid employment; to be in contact with other natural and legal persons, and also assist a person with visual disability to acquire a programme of basic vocational education, secondary vocational education or higher education;

2) **loss of ability to work** – lost or restricted general capacity to work as a result of functioning limitation at the working age;

3) **functioning limitation** – an impairment of a physical or mental nature caused by a disease, trauma, or congenital defect (body’s capabilities; abilities to learn, communicate, orientate oneself, move about, take care of oneself, control one’s behaviour, activities and participation) which restricts the capacity of a person to work, to take care of oneself and makes it difficult for a person to integrate into society;

4) **individual rehabilitation plan for a person with a predictable disability** – an optimal complex of measures intended for a specific person in which long-term and short-term objectives for the rehabilitation of the relevant functioning limitations have been prescribed and medical treatment, medical, social, and professional rehabilitation measures have been included by indicating the time periods for implementation thereof, and that is aimed at the maintenance, improvement, or renewal of the functional abilities of a person in order to prevent the onset of a disability;

5) **individual rehabilitation plan for a person with a disability** – an optimal complex of measures intended for a specific person in which medical treatment, medical, social, and professional rehabilitation measures have been included that are aimed at the maintenance or improvement of the functional abilities of the person in order to reduce the consequences of a disability on the person with a disability;

6) **predictable disability and disability expert-examination** – assessment of the level of the functioning limitation and determining the loss of ability to work for a person, and also the evaluation of the measures necessary for reducing the risk of disability or the consequences of a disability;

7) **adjusting a dwelling** – equipment of the residential and auxiliary premises at the ownership, joint-ownership, or use of the person with a disability or of the family members of this person living with him or her with the necessary auxiliary devices (technical aids) and adjusting to the needs of the person with a disability;

8) **person with a disability** – a person for whom a disability has been determined in accordance with the procedures laid down in this Law;

9) **person with a predictable disability** – a person for whom a predictable disability has been determined in accordance with the procedures laid down in this Law;

10) **sign language interpreter** – a person who with the aid of sign language provides communication for a person with a hearing impairment with other persons, also in an institution of a basic vocational education, secondary vocational education, or higher education where the person with a hearing impairment acquires an educational programme;

11) **companion** – a natural person who accompanies and aids a person with a disability who has substantially reduced mobility and who does not receive the service of an assistant in a local government to get from the dwelling to the selected destination and back;

12) **care service** – a set of measures for a person from 5 to 18 years of age with a disability and pronounced and severe functioning limitations. This service shall include care, supervision, development of self-care capacity, and meaningful spending of the leisure time at the place of residence of the person.

[*23 November 2020* / *Clauses 11 and 12 shall come into force on 1 July 2021.* *See Paragraph 10 of Transitional Provisions*]

**Section 2. Purpose of the Law**

The purpose of this Law is to prevent or reduce the risk of disability for persons with a predictable disability and reduce the consequences of a disability for persons with a disability.

**Section 3. Application of this Law**

(1) This Law prescribes the procedures by which a predictable disability and disability expert-examination shall be performed, and also the aid measures necessary to reduce the risk of a disability and the consequences of a disability.

(2) This Law shall be implemented based on:

1) the involvement of a person with a predictable disability and a person with a disability in the aid measures in order to reduce the risk of a disability (in the case of a predictable disability) and the consequences of a disability within the scope of participation specified in the law On Social Security;

2) involving the society in solving the matters related to a disability, and also on the cooperation of State and local government authorities with the National Council of Disability Affairs, associations and foundations which represent persons with a predictable disability or persons with a disability, and also with professional rehabilitation organisations;

3) unified rehabilitation process for the persons with a predictable disability or persons with a disability ensured by the State and local governments.

[*1 November 2018*]

**Section 3.1 Information System of Disability**

(1) The information system of disability (hereinafter – the information system) is a State information system in which data regarding predictable disability and disability expert-examinations, and also regarding persons with a predictable disability and persons with a disability, including personal data, are included. The State Medical Commission for the Assessment of Health Condition and Working Ability is the manager of the information system.

(2) The purpose of the information system is to ensure the account of persons with a predictable disability and persons with a disability which is necessary for the granting of payments of the social security system and other reliefs specified by the State, for the provision of assistance to persons with a disability, for the reduction of the risk of a disability and the consequences of a disability, and also to compile statistics in order to plan, develop, and evaluate the State policy in the field of disability and to ensure carrying out of other functions of the State Medical Commission for the Assessment of Health Condition and Working Ability.

(3) The following authorities and persons have the right to process the information included in the information system in relation to a predictable disability and a disability, including personal data, for carrying out the functions specified for such authorities or the tasks delegated to such persons in the laws and regulations governing their activities:

1) the State Medical Commission for the Assessment of Health Condition and Working Ability;

2) the Ministry of Welfare;

3) the State Social Insurance Agency;

4) the State Labour Inspectorate;

5) the State Employment Agency;

6) the Social Integration State Agency;

7) the State Inspectorate for the Protection of Children’s Rights;

8) the State Education Quality Service;

9) *valsts akciju sabiedrība “Ceļu satiksmes drošības direkcija”* [State joint stock company Road Traffic Safety Directorate];

10) the association Latvian Association of the Deaf;

11) the association Latvian Society of the Blind;

12) the Office of Citizenship and Migration Affairs;

13) the State Revenue Service;

14) the provider of the trade service of protected user;

15) the Information Centre of the Ministry of the Interior;

16) *valsts sabiedrība ar ierobežotu atbildību “Autotransporta direkcija”* [State limited liability company Road Transport Administration];

17) the National Health Service;

18) the Motor Insurers’ Bureau of Latvia;

19) the State Probation Service;

20) the Central Finance and Contracting Agency;

21) the Maintenance Guarantee Fund;

22) local governments and the authorities established thereby which ensure services or tax and duty reliefs to persons with a disability;

23) Orphan’s and Custody Courts;

24) the operator of the electricity distribution system;

25) the Ministry of Education and Science;

26) *valsts sabiedrība ar ierobežotu atbildību “Nacionālais rehabilitācijas centrs “Vaivari””* [State limited liability company National Rehabilitation Centre Vaivari];

27) the Occupational and Radiation Medicine Centre of *valsts sabiedrība ar ierobežotu atbildību “Paula Stradiņa Klīniskā universitātes slimnīca”* [State limited liability company Pauls Stradiņš Clinical University Hospital];

28) the National Armed Forces;

29) the Secretariat of the Society Integration Foundation.

(4) The Cabinet shall determine the data to be included in the information system, their amount, the conditions and procedures for the processing of data, and also the provisions for the cooperation of authorities.

[*1 November 2018; 25 February 2021*]

**Chapter II**

**Predictable Disability and Disability**

**Section 4. Predictable Disability**

(1) A predictable disability is a functioning limitation caused by a disease or trauma which, in case if the required medical treatment and rehabilitation services are not provided, may be a reason for determining disability.

(2) The criteria, time periods, and procedures for determining a predictable disability shall be governed by the Cabinet.

**Section 5. Disability**

(1) A disability is a long-term or non-transitional very severe, severe or moderate level functioning limitation which affects person’s mental or physical abilities, ability to work, self-care, and integration into society.

(2) The criteria, time periods, and procedures for determining a disability and loss of ability to work shall be governed by the Cabinet.

(3) A person who has been determined with a disability shall be issued a document certifying the disability. The specimen and the procedures for the issuing and accounting of the document shall be governed by the Cabinet.

**Section 6. Classification of Disability**

(1) For a person up to the age of 18 disability is determined without being divided into groups.

(2) Until 31 December 2014:

1) for the persons from 18 years of age depending on the level of limitation of physical or mental abilities the following shall be determined:

a) Group I disability – very severe disability;

b) Group II disability – severe disability;

c) Group III disability – moderately pronounced disability;

2) for the persons after attaining the age necessary for the granting of the State old-age pension, when performing the disability expert-examination for the first time, the limitation of physical and mental abilities shall be evaluated and, if it is not connected with objective age-related changes in the body and comply with the criteria for determining disability, the disability shall be determined in accordance with the classification of disability provided for in Clause 1 of this Paragraph.

(3) From 1 January 2015:

1) for the persons from 18 years of age up to attaining the age necessary for the granting of the State old-age pension the functioning limitation and its level shall be evaluated, the loss of ability to work shall be determined as a per cent and:

a) Group I disability, if the loss of ability to work is in the amount of 80-100 per cent, – very severe disability;

b) Group II disability, if the loss of ability to work is in the amount of 60-79 per cent, – severe disability;

c) Group III disability, if the loss of ability to work is in the amount of 25-59 per cent, – moderately pronounced disability;

2) for the persons after attaining the age necessary for the granting of the State old-age pension, when performing the disability expert-examination, the functioning limitation and its level shall be evaluated and Group I disability – very severe disability, Group II disability – severe disability, or Group III disability – moderately pronounced disability, and also the aid measures necessary in relation to it shall be determined.

(4) [1 November 2018]

[*15 November 2012; 1 November 2018*]

**Chapter III**

**Organisation of Predictable Disability and Disability Expert-Examination**

**Section 7. Regulations for Predictable Disability and Disability Expert-Examination**

(1) Predictable disability and disability expert-examination shall be performed for a citizen of Latvia, a non-citizen of Latvia; a citizen or his or her family member of the European Union, European Economic Area state, or the Swiss Confederation who legally resides in the Republic of Latvia; a foreigner having received the permanent residence permit in the Republic of Latvia, a person having received the permanent residence permit related to the granting of the status of a refugee in the Republic of Latvia or a family member of the abovementioned person having the permanent residence permit in the Republic of Latvia.

(2) A person for whom a temporary residence permit has been issued in the Republic of Latvia has the right to a predictable disability or disability expert-examination if:

1) he or she as a socially insured person has the right to social insurance services;

2) he or she has been granted the alternative status in the Republic of Latvia;

3) he or she is a family member of a person who has acquired the alternative status;

4) he or she has been granted a temporary protection status in the Republic of Latvia;

5) he or she has been granted a temporary residence permit due to the performance of scientific activity in the Republic of Latvia;

6) he or she has been granted the status of a victim of trafficking in human beings in the Republic of Latvia.

(3) A predictable disability and a disability expert-examination shall be performed by observing confidentiality, personal data protection requirements, and prohibition of differential treatment.

(4) Costs related to a predictable disability or disability expert-examination shall be covered from the State budget.

(5) A predictable disability and disability expert-examination shall be performed and a predictable disability or disability shall be determined at the direct State administration institution “State Medical Commission for the Assessment of Health Condition and Working Ability” (hereinafter – the State Commission).

**Section 8. Predictable Disability and Disability Expert-Examination**

(1) The functioning limitation of a person shall be evaluated by the doctors of the State Commission. The doctors of the State Commission shall be independent in the evaluation of the functioning limitation.

(2) Based on the evaluation of a person’s functioning limitation, an official of the State Commission shall issue an administrative act with which the following shall be prescribed:

1) a disability if the level of the person’s functioning limitation conforms with the criteria for determining disability – for a specific time period (from six months to five years, but for a person who up to the day of the disability expert-examination has not attained 18 years of age, also up to the day, when he or she attains 18 years of age) or without a repeated expert-examination time period (for life-long);

2) a predictable disability if the level of the person’s functioning limitation conforms with the criteria for determining predictable disability and it is foreseen that without the receipt of medical treatment, rehabilitation, and social services it will deteriorate and will comply with the criteria for determining disability – for a specific time period (from six months to one year);

3) loss of ability to work as a per cent for a specific time period (from six months to five years) or without a repeated expert-examination time period (for life-long) in the cases provided for in laws and regulations;

4) the cause of the disability;

5) the cause of the loss of ability to work for persons for whom a disability has not been determined in the cases provided for in laws and regulations.

(3) Predictable disability, disability, and loss of ability to work shall be determined for a person with the day when he or she submitted the relevant application or when he or she was issued form E 213 “EEA Detailed Medical Report” in a foreign country, if the expert-examination is being performed in accordance with Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community.

(4) Prior to the issue of an administrative act for complicated predictable disability and disability expert-examination cases, and also when, if the administrative act is contested, the State Commission has the right to invite consultants and send the person to a medical treatment institution for an additional examination, clarifying the diagnosis and evaluation of the functioning limitation utilising the State budget resources.

(5) An official of the State Commission shall evaluate the set of necessary measures for a person with a predictable disability and a person with a disability and:

1) shall approve the individual rehabilitation plan developed by the attending doctor for the person with a predictable disability;

2) if a person with a disability requires medical and social rehabilitation services in order to reduce or prevent functioning limitation, shall provide recommendations in relation to the individual rehabilitation plan where the further medical treatment and medical rehabilitation services prescribed by the attending doctor shall be included to the local government social service office where the relevant person has declared the place of residence;

3) shall approve the opinion on the implementation of the measures prescribed in the individual rehabilitation plan for a person with a predictable disability or a person with a disability if the predictable disability or disability expert-examination is being performed repeatedly;

4) shall issue opinions on the implementation of the necessary services, benefit, and other measures prescribed in this Law and other laws and regulations to the persons with a predictable disability, persons with a disability, and persons with loss of ability to work.

[*19 May 2016; 1 November 2018*]

**Section 9. Contesting and Appeal of the Administrative Acts**

Administrative acts issued by the officials of the State Commission or the actual action thereof may be contested to the Director of the State Commission. The decision of the Director of the State Commission may be appealed to a court. The contesting or appeal of a decision shall not suspend the operation thereof.

**Section 10. Individual Rehabilitation Plan for a Person with a Predictable Disability and an Individual Rehabilitation Plan for a Person with a Disability**

(1) The development of an individual rehabilitation plan for a person with a predictable disability shall be mandatory. The necessity for the development of an individual rehabilitation plan for a person with a disability shall be determined by the State Commission.

(2) The types of measures and time periods to be included in an individual rehabilitation plan for a person with a predictable disability and an individual rehabilitation plan for a person with a disability, and also the procedures for the development and implementation of the forms for the plan and the plan shall be determined by the Cabinet.

(3) An attending doctor has the following obligation:

1) to develop timely an individual rehabilitation plan for a person with a predictable disability based on the recommendations of the State Commission and the specialists involved in the medical treatment process of a person with a predictable disability and to control the implementation thereof;

2) upon developing and implementing an individual rehabilitation plan for a person with a predictable disability, to co-operate with the local government social service office where the relevant person has declared the place of residence, the State Commission and other specialists, and also the person himself or herself;

3) after implementation of the measures prescribed in the individual rehabilitation plan for a person with a predictable disability, if necessary, to send the person to a repeated disability expert-examination.

(4) A local government social service office has the following obligation:

1) to develop an individual rehabilitation plan for a person with a disability and control the implementation thereof if the relevant person has submitted the recommendations referred to in Section 8, Paragraph five, Clause 2 of this Law to the Service;

2) when developing and implementing an individual rehabilitation plan for a person with a disability, to cooperate with the attending doctor of the relevant person, if necessary, also with other specialists and the person himself or herself, and also his or her legal representative.

(5) A person with a predictable disability and a person with a disability have an obligation in accordance with the law On Social Security to participate in the development of an individual rehabilitation plan and during the course of implementation of the measures provided for in the plan:

1) to take care of one’s own health;

2) to comply with the instructions of health care practitioners, support staff of a health care practitioner, social worker, and other specialists involved in the rehabilitation;

3) to cooperate with the providers of social services, State and local government authorities;

4) to participate in the implementation of his or her social rights;

5) to be actively involved in the measures for promoting employment.

(6) A person with a predictable disability and a person with a disability, and also legal representatives of such a person have the right to receive information regarding the measures included in the individual rehabilitation and the intended results in a comprehensible way from the attending doctor or the local government social service office.

(7) A person with a predictable disability has the right to refuse in writing the implementation of an individual rehabilitation plan. The attending doctor has an obligation:

1) to explain the consequences of such a refusal to the person with the predictable disability and, if necessary, to his or her legal representative;

2) to inform the State Commission of the decision of the relevant person.

(8) A person with a predictable disability who has refused in writing from the implementation of an individual rehabilitation plan has no right to receive, on a priority basis, the medical treatment, and also social and professional rehabilitation services paid from the State budget referred to in Section 11, Clause 2 of this Law.

(9) If a person with a predictable disability does not fulfil the obligations referred to in Paragraph five of this Section, the social service provider may completely or partially suspend the provision of social services and provision of the medical treatment, and also social and vocational rehabilitation services until these obligations are fulfilled.

(10) A person with a disability has the right to refuse in writing from the implementation of an individual rehabilitation plan. The local government social service office where the relevant person has declared the place of residence has an obligation:

1) to explain the consequences of such a refusal to the person with the disability and, if necessary, to his or her legal representative;

2) to inform the attending doctor of the relevant person and the State Commission of the decision of the person.

(11) If a person with a disability does not fulfil the obligations referred to in Paragraph five of this Section, the social service provider may completely or partially suspend provision of social services until these obligations are fulfilled.

**Chapter IV**

**Aid Measures for Reduction of the Predictable Disability, Risk of a Disability and Consequences of a Disability**

**Section 11. Reduction of the Risk of a Disability**

For a person with a predictable disability the risk of a disability shall be prevented or reduced by:

1) implementing the measures prescribed in the individual rehabilitation plan;

2) ensuring him or her, on a priority basis, with the right to receive medical treatment services paid from the State budget according to the individual rehabilitation plan, and also social rehabilitation services, if the person who is of the working age or after the working age is working (is considered as an employee or a self-employed person in accordance with the law On State Social Insurance), and professional rehabilitation services and services for determining vocational suitability if the person is of the working age. The types of the services, the amount, the conditions and procedures for the receipt thereof shall be governed by the Cabinet;

3) by implementing other aid measures laid down in laws and regulations.

[*1 November 2018*]

**Section 12. Reduction of the Consequences of a Disability**

(1) The consequences of a disability for the persons with a disability shall be reduced by:

1) implementing the measures prescribed in the individual rehabilitation plan;

2) ensuring the right to receive a benefit for the use of an assistant for 10 hours per week, by personally selecting a specific assistant, for the persons with Group I visual disability who do not receive the service of an assistant referred to in Clause 3 of this Paragraph or the State benefit for the person with a disability who needs care. Persons who are in a long-term social care institution, a hospital, or a place of imprisonment have no right to receive this benefit;

3) ensuring the right to receive the service of an assistant paid from the State budget at the local government where the place of residence was declared – from 1 January 2013 for the persons with a disability, except for the persons who receive the benefit for the use of an assistant referred to in Clause 2 of this Paragraph and who are in a long-term social care institution, an inpatient medical treatment institution, or a place of imprisonment;

31) ensuring the right to receive the service of an assistant referred to in Clause 3 of this Paragraph in a part which exceeds 10 hours per week, but does not exceed the maximum amount of the service of an assistant laid down by the Cabinet for the persons who receive the benefit for the use of an assistant referred to in Clause 2 of this Paragraph;

4) ensuring the right to receive the service of an assistant paid from the State budget for supporting moving about and performing self-care for the students – persons with a disability – studying at preschool education, general primary education, vocational basic education, professional education, general secondary education and vocational secondary education institutions (except for the special educational institutions which receive the maintenance expenditures from the State budget), and also for the students of higher education institutions and colleges;

41) ensuring the right to receive the service of a companion paid from the State budget in a local government according to the declared place of residence for the persons with a disability from 5 to 18 years of age who have substantially reduced mobility and who do not receive the service of an assistant in a local government, except for the persons who are in a long-term social care institution, an inpatient medical treatment institution, or a prison;

42) ensuring the right to receive the service of an assistant paid from the State budget in a local government according to the declared place of residence for the persons with a disability from 5 to 18 years of age who have pronounced and severe functioning limitations, except for the persons who are in a long-term social care institution, an inpatient medical treatment institution, or a prison;

5) ensuring the right to receive the service of a sign language interpreter paid from the State budget for the acquisition of educational programmes;

6) ensuring the right to receive the service of a sign language interpreter paid for from the State budget for up to 120 hours per year for providing contact with other natural and legal persons;

7) ensuring the right for the persons with Group I or Group II disability, the persons with a disability up to the age of 18 years and the person who accompanies a person with a Group I disability or a person with a disability up to 18 years of age to utilise free of charge all types of public transport within the territory of the Republic of Latvia, except for air transport, taxis and passenger carriage on inland waters;

8) ensuring the right for a person up to the age of 18 years for whom a disability has been determined for the first time and who lives with his or her family, and also his or her legal representative to receive the service of a psychologist paid from the State budget. The amount of and the procedures for acquiring this service shall be determined by the Cabinet;

9) ensuring the possibility to receive aid for adjusting one dwelling for the persons with a Group I disability, the persons with a Group II visual disability or hearing impairment, and the persons up to the age of 18 years who have been determined with medical indications for the necessity for special care for a child with a disability. The aid conditions and the procedures for the receipt thereof shall be determined by the Cabinet;

10) by implementing other aid measures laid down in laws and regulations.

(2) A person with a Group I or Group II disability, based on the assessment performed by the local government social service office on the necessity of the service of an assistant and aid intensity, and a person with a disability from 5 to 18 years of age, based on the opinion of the State Commission on the necessity of special care due to severe functional impairments, have the right to receive the service of an assistant referred to in Paragraph one, Clauses 3 and 4 of this Section.

(21) [1 November 2018]

(22) If a person who is studying at a general basic education, vocational basic education, professional education, general secondary education, or vocational secondary education institution is receiving the service of an assistant referred to in Paragraph one, Clause 4 of this Section until attaining the age of 18 years and attains the age of 18 years during acquisition of education, he or she has the right to receive the granted service of an assistant until the end of the academic year also after attaining the age of 18 years.

(23) A person with a disability from 5 to 18 years of age has the right to receive the service of a companion referred to in Paragraph one, Clause 4.1 of this Section based on the opinion of the State Commission on the necessity of a companion.

(24) A person with a disability from 5 to 18 years of age has the right to receive the care service referred to in Paragraph one, Clause 4.2 of this Section based on the opinion of the State Commission on the necessity of special care if the legal representative or foster family of the person is not able to ensure care and supervision of such person in the necessary amount due to employment or other objective reasons and the local government social service office has defined the necessity for such care. The person does not have the right, concurrently with this care, to receive the social care service or the service of care at home which is ensured within the scope of the European Union policy instruments.

(3) [15 November 2012]

(4) The benefit for the use of an assistant referred to in Paragraph one, Clause 2 of this Section shall be paid by the State Employment Agency from the funds of the European Union policy instruments until 31 December 2014, but starting from 1 January 2015 the benefit shall be granted from the State budget. The amount of compensation and the procedures for the granting thereof shall be determined by the Cabinet. One has no right to receive the benefit for the use of an assistant concurrently with the services of an assistant within the scope of the European Union policy instruments.

(5) The Cabinet shall determine the service of an assistant referred to in Paragraph one, Clauses 3 and 4, and also the requirements for an assistant, the service of a sign language interpreter referred to in Clause 6 of this Section, and the conditions and procedures for granting these services.

(51) The Cabinet shall determine the requirements for the assistant who provides the service of an assistant referred to in Paragraph one, Clauses 3 and 4 of this Section, and also the criteria for the assessment of the necessity of the service of an assistant and aid intensity and on the determination of the amount of the service and the service of an assistant referred to in Paragraph one, Clause 3.1 of this Section, the requirements for the assistant, the conditions and procedures for granting this service, and also the criteria for the assessment of the necessity of the service of an assistant and aid intensity and on the determination of the amount of service.

(52) The Cabinet shall determine the conditions for the refusal, termination, and discontinuation of the service of an assistant referred to in Paragraph one, Clause 3 of this Section, and also the maximum amount of the service of an assistant.

(6) The Cabinet shall determine the amount of the State budget financing necessary for the service of an assistant provided in Paragraph one, Clauses 3 and 3.1 of this Section, the procedures for the calculation and granting thereof.

(61) The Cabinet shall determine the service of a companion referred to in Paragraph one, Clause 4.1 of this Section, the criteria for the provision of an opinion on the necessity of the service of a companion, the conditions and procedures for the granting, refusal, termination, and discontinuation of such service, the maximum amount of the service, the requirements for the companion, and also the costs of one hour and financing provisions.

(62) The Cabinet shall determine the minimum costs of one hour of the care service referred to in Paragraph one, Clause 4.2 of this Section and the maximum amount of the care service. The local government shall determine the conditions and procedures for the granting, refusal, termination, and discontinuation of the care service referred to in Paragraph one, Clause 4.2 of this Section, the criteria for the assessment of the necessity of the service, and the requirements for the provider of the care service in the binding regulations thereof.

(7) The Cabinet shall determine the procedures for the calculation and granting of the State budget financing necessary for the service of an assistant referred to in Paragraph one, Clause 4 of this Section. The abovementioned State budget financing shall be administered by an authority delegated by the Cabinet. Upon executing the task delegated in this Section, the authority delegated by the Cabinet shall ensure rational utilisation and control of the allocated State budget funds, using for the administration expenditures not more than five per cent of the State budget funds allocated for the ensuring of these services.

(8) Data on the recipient and provider of the service of an assistant referred to in Paragraph one, Clauses 3, 3.1, 4, 4.1, and 4.2 of this Section in a local government, in a higher education institution and a college, of the service of a companion, and of the care service, the assessment of the necessity and the ensuring of such services shall be included in the State Social Policy Monitoring Information System in the amount laid down by the Cabinet and in conformity with the data processing provisions and procedures laid down thereby and the provisions for the cooperation of authorities. The following authorities have the right, for the fulfilment of the functions and tasks laid down in the laws and regulations governing their activity, to process the information included in such information system in relation to the ensuring of the service of an assistant in a local government, a higher education institution, and a college, the service of a companion, and the care service, including personal data:

1) the State Commission;

2) the Ministry of Welfare;

3) local governments social service offices.

[*16 December 2010; 8 July 2011; 13 September 2012; 15 November 2012; 1 November 2018; 13 November 2019; 23 November 2020 /* *Amendments to Clauses 3, 3.1 of Paragraph one, Paragraph one, Clauses 4.1 and 4.2, amendments to Paragraph two, Paragraphs 2.3 and 2.4, amendments to Paragraph 5.1, and also Paragraphs 5.2, 6.1, 6.2, and eight shall come into force on 1 July 2021.* *See Paragraph 10 of Transitional Provisions*]

**Section 13. Ensuring of Services of a Sign Language Interpreter**

(1) A person who acquires an educational programme at a vocational basic education, vocational secondary education or higher education institution, whose hearing impairment cannot be compensated for with technical aids and for whom the necessity for the service of a sign language interpreter has been determined by the service provider based on the certificate issued by the doctor providing medical treatment has the right to the service of a sign language interpreter for the acquisition of educational programmes.

(11) A person whose hearing impairment cannot be compensated for with technical aids and for whom the necessity for the service of a sign language interpreter has been determined by the service provider based on the certificate issued by the doctor providing medical treatment has the right to the service of a sign language interpreter for providing contact with other natural persons and legal persons.

(2) The amount of service of a sign language interpreter determined for the acquisition of an educational programme for one person may not exceed 480 academic hours per study year.

(3) The provision of service of a sign language interpreter for the acquisition of an educational programme and for providing contact with other natural persons and legal persons shall be ensured by the Latvian Association of the Deaf by involving the capital companies in which it is a participant (shareholder), if necessary. If necessary, the Latvian Association of the Deaf shall select also other service providers in accordance with the procedures laid down in laws and regulations governing public procurements.

(4) Upon executing the delegated task provided for in Paragraphs 11 and three of this Section, the Latvian Association of the Deaf shall be in functional supervision of the Ministry of Welfare and shall provide for the rational use and control of the allocated State budget funds, using for the administration expenditures not more than 10 per cent of the State budget funds allocated for the ensuring of these services. For the ensuring of the execution of this task, the Latvian Association of the Deaf is entitled to issue administrative acts.

(5) The procedures for granting the service of a sign language interpreter for the acquisition of an educational programme and provisions and procedures for the performance of the task provided for in Paragraph three of this Section be governed by the Cabinet.

[*8 July 2011; 15 November 2012*]

**Transitional Provisions**

1. With the coming into force of this Law, the law On the Medicinal and Social Protection of the Disabled Persons (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs* 1992, No. 42; *Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs* 1996, No. 22; 2003, No. 2; 2004, No. 9) is repealed.

2. Section 12, Paragraph one, Clause 4 of this Law shall come into force on 1 September 2012.

3. Section 12, Paragraph one, Clause 5 of this Law shall come into force on 1 September 2011.

4. Section 12, Paragraph one, Clause 6 of this Law shall come into force on 1 January 2013.

5. Until 31 December 2018, the State Commission has the right to extend the term of operation of the administrative act previously issued in accordance with the procedures of Section 8, Paragraph two of this Law for a time period of up to six months but not longer than until issuance of a new administrative act in the case of the particular person.

[*13 October 2016*]

6. The Cabinet shall, by 1 March 2019, issue the regulations referred to in Section 3.1, Paragraph four of this Law.

[*1 November 2018*]

7. Amendment to Section 12, Paragraph one, Clause 4 and Paragraph seven of this Law shall come into force on 1 September 2019.

[*1 November 2018*]

8. Amendment to Section 12, Paragraph six of this Law shall come into force on 1 January 2021.

[*23 November 2020*]

9. If the term of operation of the administrative act previously issued by the State Commission expires for a person during the time period when the emergency situation due to the spread of COVID-19 has been declared in the State or within three months after revocation of the emergency situation or the end of the specified time period and the necessary documents for the performance of the disability expert-examination have not been submitted, the term of operation of the abovementioned administrative act is extended for a time period of up to six months but not longer than until issuance of a new administrative act in the case of the particular person.

[*20 March 2020*]

10. Section 1, Clauses 11 and 12, Section 12, Paragraph one, Clauses 4.1 and 4.2 and Paragraphs 2.3, 2.4, 5.2, 6.1, 6.2, and eight of this Law, and also amendments to Section 12, Paragraph one, Clauses 3, 3.1 and Paragraphs two and 5.1 shall come into force on 1 July 2021.

[*23 November 2020* / *The abovementioned amendments shall be included in the wording of the Law as of 1 July 2021*]

The Law shall come into force on 1 January 2011.

The *Saeima* has adopted this Law on 20 May 2010.

President V. Zatlers

Rīga, 9 June 2010