

4777--C

2013-2014 Regular Sessions

I N   S E N A T E

April 23, 2013

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Introduced by Sens. GOLDEN, ADDABBO, BRESLIN, CARLUCCI, FUSCHILLO, GIPSON, GRIFFO, HANNON, KENNEDY, LARKIN, MAZIARZ, NOZZOLIO, O'MARA, RANZENHOFER, TKACZYK -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT making an appropriation to the office for people with developmental disabilities for the purpose of providing additional services and expenses for community programs for people with developmental disabilities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. This act shall be known and may be cited as the "People  
2 with Developmental Disabilities Restoration and Reinvestment Act of  
3 2013".  
4     S 2. Statement of legislative intent. The legislature hereby finds  
5 that providing people with developmental disabilities high quality care  
6 is a critical state responsibility as affirmed in public policy includ-  
7 ing federal and state court cases and legislation. Furthermore the  
8 legislature recognizes that critical reductions in state funding were  
9 enacted during the fiscal year 2013-2014 budget which will, if not  
10 restored, erode the quality of care for these vulnerable individuals  
11 over time and sabotage state and federal mandates to achieve transforma-  
12 tional objectives and transition to managed care. The legislature also  
13 recognizes that, in accordance with budget language enacted as part of  
14 chapter 53 of the laws of 2013, substantial and laudable progress has  
15 been made by the executive working in cooperation with people with  
16 developmental disabilities, their families and providers toward finding

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [ ] is old law to be omitted.

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1 savings to minimize the impact of fiscal year 2013-2014 funding  
2 reductions. However, it is not sufficiently clear to what extent the  
3 impact of these cuts have been minimized. Therefore it is the intent of  
4 the legislature to ensure that the fiscal year 2013-2014 reduction be  
5 fully restored and savings generated which are attributable to program  
6 reductions, administrative reductions, more efficient operations or  
7 appropriate lower cost care stay within the office for people with  
8 developmental disabilities' voluntary system for reinvestment towards  
9 unmet needs. Finally, this bill provides a cost effective vehicle for  
10 achieving its goals since it utilizes elements of the savings plan  
11 developed pursuant to chapter 53 of the laws of 2013 to reduce the actu-  
12 al appropriation required.

13 S 3. The sum of ninety million dollars (\$90,000,000), or so much ther-  
14 eof as may be necessary, is hereby appropriated to the office for people  
15 with developmental disabilities out of any moneys in the state treasury  
16 in the general fund, not otherwise appropriated, and made immediately  
17 available, for the purposes of this act. Such funding shall therefore  
18 supplement the monies appropriated by chapter 53 of the laws of 2013 to  
19 the office for people with developmental disabilities and shall be  
20 subject to the same conditions and requirements as stipulated in such  
21 chapter, including sub-allocations to the department of health for the  
22 state's medical assistance program.

23 The amount of such monies appropriated shall be determined by the  
24 commissioner of the office for people with developmental disabilities  
25 and the director of the budget and shall be based on a recommendation  
26 developed by the workgroup appointed pursuant to chapter 53 of the laws  
27 of 2013. The workgroup shall develop its recommendation upon evaluating  
28 the extent to which the savings plan it developed pursuant to budget  
29 language included in chapter 53 of the laws of 2013 results in any addi-  
30 tional federal funds or other funds being made available that may be  
31 used to offset the requirement to appropriately use the full ninety  
32 million dollars (\$90,000,000). To the extent that these additional  
33 sources of funding fall short of \$90,000,000 no later than December 31,  
34 2013 the director of the budget shall cause to be deposited sufficient  
35 funds to make up for such shortfall to the credit of the general fund.

36 S 4. This act shall take effect immediately.