

5102

2013-2014 Regular Sessions

I N S E N A T E

May 8, 2013

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to establishing the direct support professional credential pilot program

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

1 Section 1. The mental hygiene law is amended by adding a new section
2 13.41 to read as follows:
3 S 13.41 DIRECT SUPPORT PROFESSIONAL CREDENTIAL PILOT PROGRAM.
4 (A) THE OFFICE SHALL INITIATE A PROGRAM TO CONTINUE TO GAIN THE EXPER-
5 TISE AND KNOWLEDGE OF THE DEVELOPMENTAL DISABILITIES WORKFORCE AND OF
6 THE DEVELOPMENTAL DISABILITIES WORKFORCE RECRUITMENT AND RETENTION NEEDS
7 THROUGHOUT THE FIELD. THE OFFICE SHALL IMPLEMENT A DIRECT SUPPORT
8 PROFESSIONAL CREDENTIAL PILOT PROGRAM TO ASSIST AND ATTRACT INDIVIDUALS
9 INTO THE FIELD OF DIRECT SUPPORT, ADVANCE DIRECT SUPPORT AS A CAREER AND
10 PROFESSIONALIZE THE FIELD TO PROMOTE WORKFORCE RECRUITMENT AND RETENTION
11 EFFORTS, ADVANCE SKILLS AND COMPETENCIES, WHILE CREATING A CAREER LADDER
12 WITH COMMENSURATE PAY FOR ADVANCED SKILLS, AND FURTHER ENSURE THE
13 HEALTH, SAFETY AND WELL BEING OF INDIVIDUALS BEING SERVED.
14 (B) THERE HEREBY IS CREATED THE DIRECT SUPPORT PROFESSIONAL CREDENTIAL
15 PILOT PROGRAM WITHIN THE OFFICE TO ASSIST INDIVIDUALS IN THE FIELD
16 OBTAIN A CREDENTIAL IN THEIR FIELD OF EXPERTISE.
17 (1) SUCH PILOT PROGRAM SHALL BE ADMINISTERED BY THE OFFICE FOR THREE
18 YEARS. THE PILOT PROGRAM SHALL INCLUDE STATE-OPERATED FACILITIES AND
19 NOT-FOR-PROFIT PROVIDERS, LICENSED AND CERTIFIED BY THE OFFICE. THE
20 PURPOSE OF THE PILOT PROGRAM SHALL BE TO ASSESS HOW THE ESTABLISHMENT OF
21 A STATE ACCREDITED DIRECT SUPPORT PROFESSIONAL CREDENTIAL: (A) PROMOTES
22 RECRUITMENT AND RETENTION EFFORTS IN THE DEVELOPMENTAL DISABILITIES
23 FIELD, NOTABLY THE DIRECT SUPPORT PROFESSIONAL POSITION; (B) ENHANCES
24 COMPETENCE IN THE DEVELOPMENTAL DISABILITIES FIELD; (C) YIELDS QUALITY

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

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1 SUPPORTS AND SERVICES TO INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES;
2 AND (D) ADVANCES THE HEALTH AND SAFETY REQUIREMENTS SET FORTH BY THE
3 STATE.

4 (2) THE OFFICE IN ADMINISTERING THE PILOT PROGRAM SHALL CONSIDER, BUT
5 NOT BE LIMITED TO, THE FOLLOWING:

6 (A) BEST PRACTICES LEARNING INITIATIVES, INCLUDING THE UNIVERSITY OF
7 MINNESOTA'S COLLEGE OF DIRECT SUPPORT AND NEW YORK STATE DIRECT SUPPORT
8 PROFESSIONAL COMPETENCIES;

9 (B) NATIONAL DIRECT SUPPORT PROFESSIONAL COMPETENCIES OR CREDENTIALING
10 BASED STANDARDS AND TRAININGS;

11 (C) FACILITATING DIRECT SUPPORT PROFESSIONALS PORTFOLIO DEVELOPMENT;

12 (D) THE ROLE AND VALUE OF SKILL MENTORS; AND

13 (E) CREATING A CAREER LADDER.

14 (3) DIRECT SUPPORT PROFESSIONAL CREDENTIAL MEANS A DOCUMENT ISSUED TO
15 AN INDIVIDUAL BY A RECOGNIZED ACCREDITING BODY ATTESTING THAT SUCH INDIVIDUAL
16 HAS MET THE PROFESSIONAL REQUIREMENTS OF THE CREDENTIALING
17 PROGRAM BY THE OFFICE.

18 (4) THE OFFICE SHALL PRODUCE A REPORT DETAILING THE PROGRESS OF THE
19 PILOT PROGRAM, INCLUDING, BUT NOT LIMITED TO:

20 (A) THE RATE OF RECRUITMENT AND RETENTION FOR DIRECT SUPPORT PROFESSIONALS
21 OF PROVIDERS PARTICIPATING IN THE PILOT PROGRAM COMPARED TO THE
22 RATE FOR NON-PARTICIPATING PROVIDERS;

23 (B) THE NUMBER OF DIRECT SUPPORT PROFESSIONALS CREDENTIALLED; AND

24 (C) THE ENHANCEMENT OF QUALITY SUPPORTS AND SERVICES TO INDIVIDUALS
25 WITH DEVELOPMENTAL DISABILITIES.

26 S 2. This act shall take effect on the ninetieth day after it shall
27 have become a law.