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I N S E N A T E

June 10, 2014

Introduced by Sens. YOUNG, ROBACH, DeFRANCISCO, GALLIVAN, LITTLE, NOZZO-LIO, RITCHIE -- 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 and the transportation law, in relation to directing the commissioner of transportation to establish an integrated transportation program for persons with intellectual and developmental disabilities

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

1 Section 1. Section 13.09 of the mental hygiene law is amended by
2 adding a new subdivision (h) to read as follows:
3 (H) THE COMMISSIONER SHALL PROVIDE SUCH COOPERATION AND ASSISTANCE TO
4 THE COMMISSIONER OF TRANSPORTATION AS THE COMMISSIONER OF TRANSPORTATION
5 SHALL DEEM TO BE NECESSARY OR DESIRABLE FOR PURPOSES OF PLANNING AND
6 ESTABLISHING AN INTEGRATED TRANSPORTATION DEMONSTRATION PROGRAM PURSUANT
7 TO SUBDIVISION THIRTY-SIX OF SECTION FOURTEEN OF THE TRANSPORTATION LAW.
8 S 2. Section 2 of the transportation law is amended by adding a new
9 subdivision 33-a to read as follows:
10 33-A. "TRANSPORTATION PROVIDER" MEANS ANY PUBLIC, PRIVATE OR NOT-FOR-
11 PROFIT ENTITY, AUTHORIZED OR EXEMPT PURSUANT TO ARTICLE SEVEN OF THIS
12 CHAPTER, UTILIZING PUBLIC FUNDS TO PROVIDE OR CONTRACT FOR TRANSPORTA-
13 TION SERVICES FOR THE BENEFIT OF THE GENERAL PUBLIC OR SPECIFIC CLIENT
14 GROUPS.
15 S 3. Section 14 of the transportation law is amended by adding a new
16 subdivision 36 to read as follows:
17 36. (A) THE COMMISSIONER, IN CONJUNCTION WITH THE COMMISSIONER OF
18 DEVELOPMENTAL DISABILITIES, AND IN CONSULTATION WITH CONSUMER GROUPS,
19 TRANSPORTATION PROVIDERS AND TRANSPORTATION SYSTEMS, SHALL DEVELOP A
20 PLAN WHICH SHALL, AT A MINIMUM, PROVIDE RECOMMENDATIONS FOR THE ESTAB-
21 LISHMENT OF THE INTEGRATED TRANSPORTATION DEMONSTRATION PROGRAM REQUIRED
22 BY PARAGRAPH (B) OF THIS SUBDIVISION. THE PLAN DEVELOPED PURSUANT TO
23 THIS PARAGRAPH SHALL BE SUBMITTED TO THE DIRECTOR OF THE BUDGET, THE
24 TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY NO

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

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1 LATER THAN JANUARY FIRST, TWO THOUSAND FIFTEEN, FOR CONSIDERATION IN THE
2 EXECUTIVE BUDGET FOR THE TWO THOUSAND FIFTEEN-TWO THOUSAND SIXTEEN STATE
3 FISCAL YEAR.

4 THE PLAN ESTABLISHED PURSUANT TO THIS PARAGRAPH SHALL INCLUDE, BUT NOT
5 BE LIMITED TO:

6 (I) IDENTIFICATION OF LOCALLY BASED TRANSPORTATION PROVIDERS AND
7 TRANSPORTATION SYSTEMS EQUIPPED TO PARTICIPATE IN THE INTEGRATED TRANS-
8 PORTATION DEMONSTRATION PROGRAM;

9 (II) RECOMMENDATIONS TO ELIMINATE REGULATORY BURDENS THAT WOULD
10 PROHIBIT COOPERATION INCLUDING, BUT NOT LIMITED TO, STATUTORY CHANGES
11 ENABLING HUMAN SERVICES AGENCIES TO COORDINATE WITH OTHER HUMAN SERVICE
12 AGENCY RIDERS WHILE REMAINING EXEMPT FROM THE PROVISIONS OF ARTICLE
13 SEVEN OF THIS CHAPTER, AS WELL AS STATUTORY CHANGES ENABLING EXEMPT
14 PROVIDERS TO COORDINATE WITH TRANSPORTATION SERVICES THAT ARE OPEN TO
15 THE PUBLIC;

16 (III) CONSIDERATIONS REGARDING THE AVAILABILITY OF PUBLIC TRANSPORTA-
17 TION, PUBLIC SAFETY CONCERNS AND THE DUPLICATION OF SERVICES;

18 (IV) RECOMMENDATIONS FOR THE IMPLEMENTATION OF SHARED SOFTWARE TO
19 ENABLE COORDINATING ENTITIES TO TRACK SERVICES, MANAGE COST AMONG
20 PROVIDERS, CONSOLIDATE ROUTES, AND PROVIDE A REGISTRY IDENTIFYING
21 PARTICIPATING CLIENTS AND ANY SPECIALIZED CARE NEEDS THAT MUST BE MET IN
22 ORDER TO EFFECTIVELY COORDINATE TRANSPORTATION;

23 (V) REPORTING REQUIREMENTS FOR COST SAVINGS ACHIEVED THROUGH TRANSPOR-
24 TATION COORDINATION;

25 (VI) RECOMMENDATIONS FOR RATE ADJUSTMENTS OR REIMBURSEMENT CHANGES
26 BASED ON COORDINATED TRANSPORTATION AND THE PARTICIPATION OF MULTIPLE
27 HUMAN SERVICE AGENCIES; AND

28 (VII) REPORTING REQUIREMENTS FOR IMPACTS TO INDIVIDUAL CARE AND
29 COMPLIANCE WITH THE RELEVANT STATE AND FEDERAL LAWS.

30 (B) WITHIN AMOUNTS APPROPRIATED THEREFOR, THE COMMISSIONER, IN COOPER-
31 ATION WITH THE COMMISSIONER OF DEVELOPMENTAL DISABILITIES, SHALL ESTAB-
32 LISH AN INTEGRATED TRANSPORTATION DEMONSTRATION PROGRAM WHICH SHALL BE
33 DEVELOPED IN FIVE LOCATIONS OF THE STATE, EACH CONSISTING OF ONE OR MORE
34 COUNTIES. FOUR OF THESE LOCATIONS SHALL INCLUDE A COUNTY HAVING A POPU-
35 LATION OF NOT MORE THAN TWO HUNDRED THOUSAND ACCORDING TO THE TWO THOU-
36 SAND TEN FEDERAL DECENNIAL CENSUS.

37 THE COMMISSIONER SHALL DIRECT A TRANSPORTATION PROVIDER IN EACH SUCH
38 LOCATION TO STUDY HOW THE COORDINATION BETWEEN LOCAL HUMAN SERVICE AGEN-
39 CIES PROVIDING TRANSPORTATION CAN INCREASE TRANSPORTATION ACCESSIBILITY
40 FOR INTEGRATED SUPPORTED EMPLOYMENT OPPORTUNITIES TO INDIVIDUALS WITH
41 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES IN ACCORDANCE WITH SECTION
42 13.41 OF THE MENTAL HYGIENE LAW. EACH SUCH TRANSPORTATION PROVIDER
43 PARTICIPATING IN THE PROGRAM SHALL STUDY THE COST BENEFITS OF COORDINAT-
44 ING TRANSPORTATION, THE QUALITY OF TRANSPORTATION, ACCESS FOR CLIENT
45 POPULATIONS AND THE OUTCOMES OF INDIVIDUALS RECEIVING THE SERVICES.
46 EVERY SUCH TRANSPORTATION PROVIDER SHALL REPORT ITS FINDINGS TO THE
47 COMMISSIONER AND THE COMMISSIONER OF DEVELOPMENTAL DISABILITIES, WHO
48 SHALL JOINTLY EVALUATE THE FINDINGS OF THE STUDY, AND REPORT THEREON TO
49 THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF
50 THE ASSEMBLY.

51 S 4. This act shall take effect immediately, except that paragraph (a)
52 of subdivision 36 of section 14 of the transportation law, as added by
53 section three of this act, shall take effect April 1, 2015.