

STATE OF NEW YORK

9920

IN ASSEMBLY

April 19, 2022

Introduced by M. of A. ABINANTI -- read once and referred to the Committee on People with Disabilities

AN ACT to amend the mental hygiene law, in relation to requiring that applications submitted by individuals with developmental disabilities for eligibility determinations and service authorizations be processed in a timely manner

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 13.07 of the mental hygiene law is amended by
2 adding a new subdivision (c-1) to read as follows:

3 (c-1) 1. In carrying out the responsibilities identified in subdivi-
4 sion (c) of this section, the office shall ensure that applications for
5 eligibility determinations and service authorizations are processed in a
6 timely manner. Specifically, except in a case where the application is
7 not reasonably clear, omits required information, or when there is a
8 reasonable basis supported by specific information available for review
9 by the office that such application was submitted fraudulently, the
10 office shall complete processing of the application within one hundred
11 twenty days of receipt of such application transmitted via the internet
12 or electronic mail.

13 2. In the case where the application is not reasonably clear or lacks
14 required information, the office shall notify the applicant in writing
15 within thirty calendar days of the receipt of such application to
16 request all additional information needed to process such application.

17 3. Upon receipt of the information requested in paragraph two of this
18 subdivision, the office shall complete processing of the application
19 within sixty days.

20 4. The office shall report on a quarterly basis to the developmental
21 disabilities advisory council, the governor, the chair of the senate
22 disabilities committee and the chair of the assembly disabilities
23 committee for both eligibility and service authorization applications
24 (i) the number and type of applications received, including by geograph-
25 ic region and/or county and the age or age-range of applicants, (ii) the
26 number of each type of application approved, (iii) the average timeframe

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

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1 for approval from receipt to final approval for each type of applica-
2 tion, (iv) the number of each type of application pending, and (v) the
3 number of each type of application disapproved or rejected and the
4 grounds for such disapproval or rejection. Such report shall be posted
5 and made available by the office on its website.

6 § 2. This act shall take effect on the one hundred eightieth day after
7 it shall have become a law.