

STATE OF NEW YORK

6801

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

Introduced by M. of A. BUTTENSCHON -- read once and referred to the Committee on Mental Health

AN ACT in relation to establishing a developmental, mental, and behavioral health community stakeholder committee; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Developmental, mental, and behavioral health community
2 stakeholder committee. 1. The commissioner of mental health, in consul-
3 tation with the commissioner of developmental disabilities, the commis-
4 sioner of children and family services, and the commissioner of educa-
5 tion, shall establish a community stakeholder committee to examine
6 appropriate and effective evidence-based developmental, mental, and
7 behavioral health screening methods, appropriate interventions for chil-
8 dren with developmental, mental, or behavioral health conditions, and
9 other educational supports for students in kindergarten through grade
10 five. The community stakeholder committee shall consist of at least ten
11 members. The following four members shall serve as co-chairs of the
12 community stakeholder committee: (a) the commissioner of mental health
13 or their designee; (b) the commissioner of developmental disabilities or
14 their designee; (c) the commissioner of children and family services or
15 their designee; and (d) the commissioner of education or their designee.
16 The remaining members shall be appointed in cooperation by the temporary
17 president of the senate and the speaker of the assembly in such a manner
18 as to ensure that all regions of the state are represented, and shall
19 include: (a) at least two members who specialize in identifying, evalu-
20 ating, and diagnosing individuals with developmental, mental, or behav-
21 ioral health conditions; (b) at least one member who specializes in
22 educating individuals with developmental, mental, or behavioral health
23 conditions; (c) at least one member who is a parent of a student with a
24 developmental, mental, or behavioral health condition; (d) at least one

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

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1 member with a developmental, mental, or behavioral health condition; and
2 (e) at least one member from an institute of higher education who is an
3 expert in developmental, mental, or behavioral health conditions. All
4 members shall have expertise in fields or disciplines related to the
5 identification of students with developmental, mental, or behavioral
6 health conditions.

7 2. The community stakeholder committee shall conduct at least two
8 public hearings for the purpose of obtaining information from stakehold-
9 ers and other interested parties, including but not limited to mental
10 health counselors licensed pursuant to section 8402 of the education
11 law, behavior analysts licensed pursuant to article 167 of the education
12 law, teachers, school administrators, and parents.

13 3. The community stakeholder committee shall prepare and submit a
14 report of its findings and recommendations to the governor, temporary
15 president of the senate, and speaker of the assembly eighteen months
16 after the effective date of this act.

17 4. For the purposes of this act:

18 (a) The term "screening methods" shall mean the identification, test-
19 ing, and evaluation of developmental, mental, or behavioral health
20 conditions.

21 (b) The term "developmental, mental, or behavioral health condition"
22 shall mean a disability, problem or disorder of behavior, character,
23 development, emotion, personality, relationship, or other such condition
24 as may be identified as:

25 (i) a mental health condition by a mental health counselor licensed
26 pursuant to section 8402 of the education law;

27 (ii) autism, autism spectrum disorder, or a related disorder by a
28 behavior analyst licensed pursuant to article 167 of the education law;
29 or

30 (iii) a developmental disability pursuant to section 1.03 of the
31 mental hygiene law.

32 § 2. This act shall take effect January 1, 2024 and shall expire and
33 be deemed repealed August 1, 2025.