S T A T E O F N E W Y O R K

7646

2009-2010 Regular Sessions

I N A S S E M B L Y

April 17, 2009

Introduced by M. of A. P. RIVERA, SCHROEDER -- read once and referred to the Committee on Mental Health, Mental Retardation and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to payments made by the office of mental retardation and developmental disabilities and the office of mental health to operators of family care homes, increasing the number of days that substitute caretakers may be provided to family care homes by the office of mental retardation and developmental disabilities and the office of mental health, and payments made to the operators of community residential facilities for the needs of persons with mental retardation or other developmental disabilities residing therein

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

Section 1. The opening paragraph of subdivision (e) of section 16.23 of the mental hygiene law, as added by chapter 786 of the laws of 1983, is amended to read as follows:

The commissioner shall establish a procedure, subject to the approval of the state comptroller, whereby payments may be made to operators of family care homes for one or more of the following needs of clients residing in such facilities, limited to [two hundred ninety dollars] SUCH AMOUNTS per client per year AS SHALL BE SET BY THE COMMISSIONER AND APPROVED BY THE DIRECTOR OF THE BUDGET and paid semi-annually in the manner specified by such procedures; PROVIDED, HOWEVER, THAT SUCH PAYMENTS SHALL BE NO LESS THAN SIX HUNDRED THIRTY-TWO DOLLARS PER CLIENT PER YEAR:

S 2. The opening paragraph of paragraph 8 of subdivision (h) of section 31.03 of the mental hygiene law, as added by chapter 809 of the laws of 1980, is amended to read as follows:

The commissioner shall establish a procedure, subject to the approval of the state comptroller, whereby payments may be made to operators of

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

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family care homes for one or more of the following needs of clients residing in such facilities, limited to [two hundred ninety dollars] SUCH AMOUNTS per client per year AS SHALL BE SET BY THE COMMISSIONER AND APPROVED BY THE DIRECTOR OF THE BUDGET and paid semi-annually in the manner specified by such procedures; PROVIDED, HOWEVER, THAT SUCH PAYMENTS SHALL BE NO LESS THAN SIX HUNDRED THIRTY-TWO DOLLARS PER CLIENT PER YEAR:

S 3. Subdivision (d) of section 16.23 of the mental hygiene law, as added by chapter 786 of the laws of 1983, is amended to read as follows:

(d) The office shall provide substitute caretakers to each family care home for a maximum of [ten] FOURTEEN days per year, either directly or as a purchase of service.

S 4. Paragraph 7 of subdivision (h) of section 31.03 of the mental hygiene law, as amended by chapter 613 of the laws of 1981, is amended to read as follows:

(7) The department shall provide substitute caretakers to each family care home for a maximum of [ten] FOURTEEN days per year, either directly or as a purchase of service.

S 5. The opening paragraph of subdivision (n) of section 41.36 of the mental hygiene law, as amended by chapter 525 of the laws of 1985, is amended to read as follows:

The commissioner shall establish a procedure, subject to the approval of the state comptroller, whereby payments in addition to the client's personal allowance may be made to providers of services for one or more of the following needs of clients residing in such facilities, limited to [two hundred fifty dollars] SUCH AMOUNTS per client per year AS SHALL BE SET BY THE COMMISSIONER AND APPROVED BY THE DIRECTOR OF THE BUDGET and paid [semi-annually] in the manner specified by such procedures; PROVIDED, HOWEVER, THAT SUCH PAYMENTS SHALL BE NO LESS THAN TWO HUNDRED FIFTY DOLLARS PER CLIENT PER YEAR:

S 6. This act shall take effect immediately.