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

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I N  A S S E M B L Y

June 10, 2009

Introduced by M. of A. KOLB, BACALLES, BARCLAY, BURLING, CALHOUN, CORWIN, CROUCH, DUPREY, HAWLEY, HAYES, JORDAN, McDONOUGH, MILLER, MOLINARO, OAKS, RABBITT, RAIA, SALADINO, SCOZZAFAVA, TITONE, TOBACCO, TOWNSEND -- Multi-Sponsored by -- M. of A. BUTLER, GIGLIO, QUINN, TEDISCO, THIELE -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to establishing a state autism advisory board

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

Section 1. The public health law is amended by adding a new section 2500-k to read as follows:

S 2500-K. STATE AUTISM ADVISORY BOARD. 1. THERE IS HEREBY ESTABLISHED WITHIN THE DEPARTMENT THE STATE AUTISM ADVISORY BOARD. SUCH BOARD SHALL CONDUCT PUBLIC HEARINGS AND HOLD MEETINGS REGARDING THE AVAILABILITY OF PROGRAMS AND SERVICES FOR PERSONS WITH AUTISM. THE BOARD SHALL MAKE RECOMMENDATIONS FOR THE CREATION OF COMPREHENSIVE AND CONSISTENT CRITERIA AND REGULATIONS TO IMPROVE THE QUALITY OF LIFE FOR PERSONS WITH AUTISM AND TO MAKE THE PUBLIC AND PERSONS WITH AUTISM AND THEIR FAMILIES MORE AWARE OF AVAILABLE PROGRAMS AND SERVICES FOR PERSONS WITH AUTISM. THE AREAS OF STUDY THAT SHALL BE ADDRESSED BY THE BOARD SHALL INCLUDE, BUT NOT BE LIMITED TO:

(A) EARLY DIAGNOSIS;

(B) HOME AND HEALTH SERVICES;

(C) EDUCATION AND DEVELOPMENTAL SERVICES;

(D) VOCATIONAL PLACEMENT; AND

(E) IMPROVING RESEARCH AND TRAINING FOR PROFESSIONALS.

2. THE BOARD WILL CONSIST OF NINETEEN MEMBERS, TEN OF WHOM SHALL BE APPOINTED AND NINE OF WHOM SHALL SERVE EX OFFICIO. OF THE TEN APPOINTED MEMBERS, TWO SHALL BE APPOINTED BY THE GOVERNOR, TWO SHALL BE APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE, TWO SHALL BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY, TWO SHALL BE APPOINTED BY THE MINORITY LEADER

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

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OF THE SENATE AND TWO SHALL BE APPOINTED BY THE MINORITY LEADER OF THE ASSEMBLY. OF THE TWO MEMBERS APPOINTED BY EACH APPOINTING AUTHORITY, ONE MEMBER SHALL HAVE EXPERTISE OF WORK AS A PROFESSIONAL IN THE FIELD OF AUTISM AND ONE MEMBER SHALL BE A FAMILY ADVOCATE OR SELF-ADVOCATE IN THE COMMUNITY THAT SUCH ADVOCATE RESIDES. A REPRESENTATIVE FROM EACH OF THE FOLLOWING STATE AGENCIES SHALL SERVE EX OFFICIO: THE OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES; THE DEPARTMENT OF EDUCATION; THE OFFICE OF MENTAL HEALTH; THE OFFICE OF CHILDREN AND FAMILY SERVICES; THE DEPARTMENT; THE COMMISSION ON QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES; THE DEVELOPMENTAL PLANNING COUNCIL; THE COUNCIL ON CHILDREN AND FAMILY SERVICES; AND THE OFFICE OF VOCATIONAL AND EDUCATIONAL SERVICES FOR INDIVIDUALS WITH DISABILITIES. THE CHAIR OF THE BOARD SHALL BE SELECTED BY THE GOVERNOR.

3. MEMBERS OF THE BOARD SHALL SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY. VACANCIES ON THE BOARD SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT. MEMBERS OF THE BOARD SHALL RECEIVE NO COMPENSATION, BUT SHALL BE REIMBURSED FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES WITHIN AMOUNTS APPROPRIATED THEREFORE.

4. SUCH BOARD SHALL MEET AT LEAST QUARTERLY. SPECIAL MEETINGS MAY BE CALLED BY THE CHAIR. THE AGENDA AND MEETING PLACE OF ALL REGULAR OR SPECIAL MEETINGS SHALL BE MADE AVAILABLE TO THE PUBLIC IN ADVANCE OF SUCH MEETINGS.

S 2. This act shall take effect immediately.