

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

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2011-2012 Regular Sessions

I N A S S E M B L Y

January 18, 2011

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

AN ACT to amend the mental hygiene law, in relation to significant
service reductions at facilities of the office for people with devel-
opmental disabilities

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

- 1 Section 1. Section 13.17 of the mental hygiene law is amended by
2 adding a new subdivision (e) to read as follows:
3 (E) IN THE EVENT THAT THE PLAN FOR STATE AND LOCAL SERVICES FOR CITI-
4 ZENS WITH DEVELOPMENTAL DISABILITIES, DEVELOPED IN ACCORDANCE WITH
5 SECTION 13.07 OF THIS ARTICLE, DETERMINES THAT SIGNIFICANT SERVICE
6 REDUCTIONS ARE ANTICIPATED FOR A PARTICULAR STATE-OPERATED FACILITY OR A
7 STATE-OPERATED RESEARCH INSTITUTE, THE COMMISSIONER SHALL TAKE THE
8 FOLLOWING ACTIONS, PROVIDED NOTHING IN THIS SUBDIVISION SHALL CREATE A
9 BASIS FOR ENJOINING ANY OTHERWISE LAWFUL SERVICE REDUCTIONS:
10 1. CONFER WITH THE DEPARTMENT OF CIVIL SERVICE, THE GOVERNOR'S OFFICE
11 OF EMPLOYEE RELATIONS AND ANY OTHER STATE AGENCY TO DEVELOP STRATEGIES
12 WHICH ATTEMPT TO MINIMIZE THE IMPACT ON THE STATE WORKFORCE BY PROVIDING
13 ASSISTANCE IN OBTAINING STATE EMPLOYMENT IN STATE-OPERATED
14 COMMUNITY-BASED SERVICES OR OTHER EMPLOYMENT OPPORTUNITIES, AND TO
15 DEVELOP STRATEGIES FOR THE DEVELOPMENT OF NECESSARY RETRAINING AND REDE-
16 PLOYMENT PROGRAMS. IN PLANNING SUCH STRATEGIES, THE COMMISSIONER SHALL
17 PROVIDE FOR THE PARTICIPATION OF THE REPRESENTATIVES OF THE PUBLIC
18 EMPLOYEE LABOR ORGANIZATIONS AND FOR THE PARTICIPATION OF MANAGERIAL AND
19 CONFIDENTIAL EMPLOYEES TO ENSURE CONTINUITY OF EMPLOYMENT;
20 2. CONSULT WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND ANY OTHER
21 APPROPRIATE STATE AGENCIES TO DEVELOP STRATEGIES WHICH ATTEMPT TO MINI-
22 MIZE THE IMPACT OF SUCH SIGNIFICANT SERVICE REDUCTIONS ON THE LOCAL AND
23 REGIONAL ECONOMIES;

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

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1 3. PROVIDE FOR A MECHANISM WHICH MAY REASONABLY BE EXPECTED TO PROVIDE
2 NOTICE TO LOCAL GOVERNMENTS, COMMUNITY ORGANIZATIONS, PUBLIC EMPLOYEE
3 LABOR ORGANIZATIONS, MANAGERIAL AND CONFIDENTIAL EMPLOYEES, CONSUMER AND
4 ADVOCACY GROUPS OF THE POTENTIAL FOR SIGNIFICANT SERVICE REDUCTIONS AT
5 SUCH STATE-OPERATED FACILITIES OR PROGRAMS AND STATE-OPERATED RESEARCH
6 INSTITUTE AT LEAST TWELVE MONTHS PRIOR TO COMMENCING SUCH SERVICE
7 REDUCTION; AND
8 4. CONSULT WITH THE OFFICE OF GENERAL SERVICES AND ANY OTHER APPROPRI-
9 ATE STATE AGENCY IN DEVELOPING A MECHANISM FOR DETERMINING ALTERNATIVE
10 USES FOR LAND AND BUILDINGS TO BE VACATED BY THE OFFICE. SUCH A MECH-
11 ANISM SHOULD INCLUDE A REVIEW OF OTHER PROGRAMS OR STATE AGENCIES THAT
12 COULD FEASIBLY EXPAND THEIR OPERATIONS ONTO A STATE-OPERATED CAMPUS AND
13 ARE COMPATIBLE WITH THE HEALTH, SAFETY AND PROGRAMMATIC NEEDS OF PERSONS
14 SERVED IN SUCH FACILITIES.
15 S 2. This act shall take effect immediately.