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

8835--A

I N A S S E M B L Y

February 19, 2014

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Mental Health -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to establishing the task force on adults with developmental disabilities; 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:

Section 1. Legislative findings. The legislature finds that developmental disabilities require a lifetime of person-centered services and supports, yet much of the focus on developmental disabilities relates to education and development, and neglects concerns that may arise later in a person's life. The legislature also finds that adults with developmental disabilities may face significant challenges in various aspects of their lives, including such areas as job placement, housing and long-term care. Consequently, the legislature finds that there is a pressing need for policymakers and advocates in the state to formulate achievable goals for state government to meet in order to better serve the community of adults with developmental disabilities. To this end, it is in the public interest to establish a task force on adults with developmental disabilities to develop a comprehensive plan for meeting the various needs of adults with developmental disabilities living in New York.

S 2. The mental hygiene law is amended by adding a new section 13.41 to read as follows:

S 13.41 TASK FORCE ON ADULTS WITH DEVELOPMENTAL DISABILITIES.

(A) THERE IS HEREBY ESTABLISHED THE TASK FORCE ON ADULTS WITH DEVELOPMENTAL DISABILITIES IN THE OFFICE. THE PURPOSE OF THE TASK FORCE SHALL BE TO STUDY, EVALUATE AND DEVELOP RECOMMENDATIONS RELATING TO SPECIFIC ACTIONABLE MEASURES TO SUPPORT AND MEET THE NEEDS OF ADULTS WITH DEVELOPMENTAL DISABILITIES WHO ARE RESIDENTS OF THE STATE, INCLUDING SUCH NEEDS AS VOCATIONAL, RESIDENTIAL AND SOCIAL NEEDS. ADDITIONALLY, THE TASK FORCE SHALL STUDY THE LONG TERM NEEDS OF ADULTS WITH DEVELOPMENTAL DISABILITIES WHO RESIDE WITH CAREGIVERS. THE RECOMMENDATIONS OF THE TASK

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

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FORCE SHALL COMPRISE THE BASIS FOR A COMPREHENSIVE PLAN FOR MEETING THE NEEDS OF ADULTS WITH DEVELOPMENTAL DISABILITIES, AND SHALL BE SUBMITTED TO THE GOVERNOR AND THE LEGISLATURE PURSUANT TO SUBDIVISION (F) OF THIS SECTION.

(B) THE TASK FORCE SHALL CONSIST OF TEN MEMBERS AS FOLLOWS:

(1) THE COMMISSIONER, THE COMMISSIONER OF MENTAL HEALTH, THE COMMISSIONER OF HOUSING AND COMMUNITY RENEWAL, THE COMMISSIONER OF HEALTH, THE COMMISSIONER OF EDUCATION AND THE COMMISSIONER OF LABOR; AND

(2) FOUR MEMBERS WITH DEMONSTRATED EXPERTISE IN ISSUES RELATING TO THE WORK OF THE TASK FORCE; WITH TWO SUCH MEMBERS APPOINTED BY THE GOVERNOR, ONE SUCH MEMBER APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE, AND ONE SUCH MEMBER APPOINTED BY THE SPEAKER OF THE ASSEMBLY, NO LATER THAN THE THIRTIETH DAY AFTER THE EFFECTIVE DATE OF THIS SECTION.

VACANCIES IN THE MEMBERSHIP OF THE TASK FORCE SHALL BE FILLED IN THE SAME MANNER PROVIDED FOR BY THE ORIGINAL APPOINTMENTS.

(C) THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE SHALL SERVE AS CHAIRPERSON OF THE TASK FORCE. THE TASK FORCE SHALL ORGANIZE AS SOON AS PRACTICABLE FOLLOWING THE APPOINTMENT OF ITS MEMBERS AND SHALL SELECT A VICE-CHAIRPERSON FROM AMONG THE MEMBERS. THE CHAIRPERSON SHALL APPOINT A SECRETARY WHO NEED NOT BE A MEMBER OF THE TASK FORCE.

(D) THE MEMBERS OF THE TASK FORCE SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES, BUT SHALL BE ALLOWED THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

(E) TO THE MAXIMUM EXTENT FEASIBLE, THE TASK FORCE SHALL BE ENTITLED TO REQUEST AND RECEIVE, AND SHALL UTILIZE AND BE PROVIDED WITH SUCH FACILITIES, RESOURCES AND DATA OF ANY COURT, DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION OR AGENCY OF THE STATE OR ANY POLITICAL SUBDIVISION THEREOF AS IT MAY REASONABLY REQUEST TO PROPERLY CARRY OUT ITS POWERS AND DUTIES.

(F) THE TASK FORCE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY ON OR BEFORE JANUARY FIRST, TWO THOUSAND SIXTEEN.

S 3. This act shall take effect immediately and shall expire and be deemed repealed two years after such effective date.