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

5102--A

2013-2014 Regular Sessions

I N S E N A T E

May 8, 2013

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee and committed to the Committee on Rules -- 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 direct support professional credential pilot program

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

Section 1. The mental hygiene law is amended by adding a new section 13.41 to read as follows:

S 13.41 DIRECT SUPPORT PROFESSIONAL CREDENTIAL PILOT PROGRAM.

(A) THE OFFICE SHALL INITIATE A PROGRAM TO CONTINUE TO GAIN THE EXPERTISE AND KNOWLEDGE OF THE DEVELOPMENTAL DISABILITIES WORKFORCE AND OF THE DEVELOPMENTAL DISABILITIES WORKFORCE RECRUITMENT AND RETENTION NEEDS THROUGHOUT THE FIELD. THE OFFICE SHALL IMPLEMENT A DIRECT SUPPORT PROFESSIONAL CREDENTIAL PILOT PROGRAM TO ASSIST AND ATTRACT INDIVIDUALS INTO THE FIELD OF DIRECT SUPPORT, ADVANCE DIRECT SUPPORT AS A CAREER AND PROFESSIONALIZE THE FIELD TO PROMOTE WORKFORCE RECRUITMENT AND RETENTION EFFORTS, ADVANCE SKILLS AND COMPETENCIES, AND FURTHER ENSURE THE HEALTH, SAFETY AND WELL BEING OF INDIVIDUALS BEING SERVED.

(B) THERE HEREBY IS CREATED THE DIRECT SUPPORT PROFESSIONAL CREDENTIAL PILOT PROGRAM WITHIN THE OFFICE TO ASSIST INDIVIDUALS IN THE FIELD OBTAIN A CREDENTIAL IN THEIR FIELD OF EXPERTISE.

(1) SUCH PILOT PROGRAM SHALL BE ADMINISTERED BY THE OFFICE FOR THREE YEARS. THE PILOT PROGRAM SHALL INCLUDE STATE-OPERATED FACILITIES AND NOT-FOR-PROFIT PROVIDERS, LICENSED AND CERTIFIED BY THE OFFICE. THE PURPOSE OF THE PILOT PROGRAM SHALL BE TO ASSESS HOW THE ESTABLISHMENT OF A STATE ACCREDITED DIRECT SUPPORT PROFESSIONAL CREDENTIAL: (A) PROMOTES

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

LBD10817-02-3

RECRUITMENT AND RETENTION EFFORTS IN THE DEVELOPMENTAL DISABILITIES FIELD, NOTABLY THE DIRECT SUPPORT PROFESSIONAL POSITION; (B) ENHANCES COMPETENCE IN THE DEVELOPMENTAL DISABILITIES FIELD; (C) YIELDS QUALITY SUPPORTS AND SERVICES TO INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES; AND (D) ADVANCES THE HEALTH AND SAFETY REQUIREMENTS SET FORTH BY THE STATE.

(2) THE OFFICE IN ADMINISTERING THE PILOT PROGRAM SHALL CONSIDER, BUT NOT BE LIMITED TO, THE FOLLOWING:

(A) BEST PRACTICES LEARNING INITIATIVES, INCLUDING THE UNIVERSITY OF MINNESOTA'S COLLEGE OF DIRECT SUPPORT AND NEW YORK STATE DIRECT SUPPORT PROFESSIONAL COMPETENCIES;

(B) NATIONAL DIRECT SUPPORT PROFESSIONAL COMPETENCIES OR CREDENTIALING BASED STANDARDS AND TRAININGS;

(C) FACILITATING DIRECT SUPPORT PROFESSIONALS PORTFOLIO DEVELOPMENT;

(D) THE ROLE AND VALUE OF SKILL MENTORS; AND

(E) CREATING A CAREER LADDER.

(3) DIRECT SUPPORT PROFESSIONAL CREDENTIAL MEANS A DOCUMENT ISSUED TO AN INDIVIDUAL BY A RECOGNIZED ACCREDITING BODY ATTESTING THAT SUCH INDIVIDUAL HAS MET THE PROFESSIONAL REQUIREMENTS OF THE CREDENTIALING PROGRAM BY THE OFFICE.

(4) THE OFFICE SHALL PRODUCE A REPORT DETAILING THE PROGRESS OF THE PILOT PROGRAM, INCLUDING, BUT NOT LIMITED TO:

(A) THE RATE OF RECRUITMENT AND RETENTION FOR DIRECT SUPPORT PROFESSIONALS OF PROVIDERS PARTICIPATING IN THE PILOT PROGRAM COMPARED TO THE RATE FOR NON-PARTICIPATING PROVIDERS;

(B) THE NUMBER OF DIRECT SUPPORT PROFESSIONALS CREDENTIALED; AND

(C) THE ENHANCEMENT OF QUALITY SUPPORTS AND SERVICES TO INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.