

7400--A

I N S E N A T E

May 14, 2014

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to developmental disability care organizations and coordinate services

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

1 Section 1. Paragraphs (a) and (a-1) of subdivision 8 of section 4403
2 of the public health law, as added by section 74 of part A of chapter 56
3 of the laws of 2013, are amended to read as follows:
4 (a) Such organization must have the ability to provide or coordinate
5 services for persons with developmental disabilities, as demonstrated by
6 criteria to be determined by the commissioner and the commissioner of
7 the office for people with developmental disabilities. Such criteria
8 shall include, but not be limited to, adequate experience providing or
9 coordinating services for persons with developmental disabilities[.]
10 UNDER THE REGULATORY OVERSIGHT OF THE OFFICE FOR PEOPLE WITH DEVELOP-
11 MENTAL DISABILITIES;
12 (a-1) If the commissioner and the commissioner of the office for
13 people with developmental disabilities determine that such organization
14 lacks the experience required in paragraph (a) of this subdivision, the
15 organization shall have an affiliation arrangement with an entity or
16 entities THAT ARE NON-PROFIT with experience serving persons with devel-
17 opmental disabilities UNDER THE REGULATORY OVERSIGHT OF THE OFFICE FOR
18 PEOPLE WITH DEVELOPMENTAL DISABILITIES such that the affiliated entity
19 will coordinate and plan services operated, certified, funded, author-
20 ized or approved by the office for people with developmental disabili-
21 ties or will oversee and approve such coordination and planning;
22 S 2. Paragraphs (a) and (a-1) of subdivision 12 of section 4403-f of
23 the public health law, as added by section 76 of part A of chapter 56 of
24 the laws of 2013, are amended to read as follows:
25 (a) Such plan must have the ability to provide or coordinate services
26 for persons with developmental disabilities as demonstrated by criteria

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

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1 to be determined by the commissioner and the commissioner of the office
2 for people with developmental disabilities. Such criteria shall include,
3 but not be limited to, adequate experience providing or coordinating
4 services, INCLUDING BUT NOT LIMITED TO, RESIDENTIAL, DAY, AND EMPLOYMENT
5 SERVICES for persons with developmental disabilities UNDER THE REGULATO-
6 RY OVERSIGHT OF THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES;
7 (a-1) If the commissioner and the commissioner of the office for
8 people with developmental disabilities determine that such plan lacks
9 the experience required in paragraph (a) of this subdivision, the plan
10 shall have an affiliation arrangement with an entity or entities THAT
11 ARE NON-PROFIT with experience serving persons with developmental disa-
12 bilities UNDER THE REGULATORY OVERSIGHT OF THE OFFICE FOR PEOPLE WITH
13 DEVELOPMENTAL DISABILITIES, INCLUDING, BUT NOT LIMITED TO, RESIDENTIAL,
14 DAY AND EMPLOYMENT SERVICES, such that the affiliated entity will coor-
15 dinate and plan services operated, certified, funded, authorized or
16 approved by the office for people with developmental disabilities or
17 will oversee and approve such coordination and planning;
18 S 3. This act shall take effect immediately, provided, however, that
19 the amendments to subdivision 8 of section 4403 of the public health law
20 made by section one of this act shall not affect the repeal of such
21 subdivision and shall be deemed repealed therewith; provided, further
22 that the amendments to subdivision 12 of section 4403-f of the public
23 health law made by section two of this act shall not affect the repeal
24 of such subdivision and such section and shall be deemed repealed there-
25 with.