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

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I N S E N A T E

June 10, 2014

Introduced by Sens. YOUNG, ROBACH, DeFRANCISCO, GALLIVAN, LITTLE, NOZZOLIO, RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law and the transportation law, in relation to directing the commissioner of transportation to establish an integrated transportation program for persons with intellectual and developmental disabilities

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

Section 1. Section 13.09 of the mental hygiene law is amended by adding a new subdivision (h) to read as follows:

(H) THE COMMISSIONER SHALL PROVIDE SUCH COOPERATION AND ASSISTANCE TO THE COMMISSIONER OF TRANSPORTATION AS THE COMMISSIONER OF TRANSPORTATION SHALL DEEM TO BE NECESSARY OR DESIRABLE FOR PURPOSES OF PLANNING AND ESTABLISHING AN INTEGRATED TRANSPORTATION DEMONSTRATION PROGRAM PURSUANT TO SUBDIVISION THIRTY-SIX OF SECTION FOURTEEN OF THE TRANSPORTATION LAW.

S 2. Section 2 of the transportation law is amended by adding a new subdivision 33-a to read as follows:

33-A. "TRANSPORTATION PROVIDER" MEANS ANY PUBLIC, PRIVATE OR NOT-FOR-PROFIT ENTITY, AUTHORIZED OR EXEMPT PURSUANT TO ARTICLE SEVEN OF THIS CHAPTER, UTILIZING PUBLIC FUNDS TO PROVIDE OR CONTRACT FOR TRANSPORTATION SERVICES FOR THE BENEFIT OF THE GENERAL PUBLIC OR SPECIFIC CLIENT GROUPS.

S 3. Section 14 of the transportation law is amended by adding a new subdivision 36 to read as follows:

36. (A) THE COMMISSIONER, IN CONJUNCTION WITH THE COMMISSIONER OF DEVELOPMENTAL DISABILITIES, AND IN CONSULTATION WITH CONSUMER GROUPS, TRANSPORTATION PROVIDERS AND TRANSPORTATION SYSTEMS, SHALL DEVELOP A PLAN WHICH SHALL, AT A MINIMUM, PROVIDE RECOMMENDATIONS FOR THE ESTABLISHMENT OF THE INTEGRATED TRANSPORTATION DEMONSTRATION PROGRAM REQUIRED BY PARAGRAPH (B) OF THIS SUBDIVISION. THE PLAN DEVELOPED PURSUANT TO THIS PARAGRAPH SHALL BE SUBMITTED TO THE DIRECTOR OF THE BUDGET, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY NO

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

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LATER THAN JANUARY FIRST, TWO THOUSAND FIFTEEN, FOR CONSIDERATION IN THE EXECUTIVE BUDGET FOR THE TWO THOUSAND FIFTEEN-TWO THOUSAND SIXTEEN STATE FISCAL YEAR.

THE PLAN ESTABLISHED PURSUANT TO THIS PARAGRAPH SHALL INCLUDE, BUT NOT BE LIMITED TO:

(I) IDENTIFICATION OF LOCALLY BASED TRANSPORTATION PROVIDERS AND TRANSPORTATION SYSTEMS EQUIPPED TO PARTICIPATE IN THE INTEGRATED TRANSPORTATION DEMONSTRATION PROGRAM;

(II) RECOMMENDATIONS TO ELIMINATE REGULATORY BURDENS THAT WOULD PROHIBIT COOPERATION INCLUDING, BUT NOT LIMITED TO, STATUTORY CHANGES ENABLING HUMAN SERVICES AGENCIES TO COORDINATE WITH OTHER HUMAN SERVICE AGENCY RIDERS WHILE REMAINING EXEMPT FROM THE PROVISIONS OF ARTICLE SEVEN OF THIS CHAPTER, AS WELL AS STATUTORY CHANGES ENABLING EXEMPT PROVIDERS TO COORDINATE WITH TRANSPORTATION SERVICES THAT ARE OPEN TO THE PUBLIC;

(III) CONSIDERATIONS REGARDING THE AVAILABILITY OF PUBLIC TRANSPORTATION, PUBLIC SAFETY CONCERNS AND THE DUPLICATION OF SERVICES;

(IV) RECOMMENDATIONS FOR THE IMPLEMENTATION OF SHARED SOFTWARE TO ENABLE COORDINATING ENTITIES TO TRACK SERVICES, MANAGE COST AMONG PROVIDERS, CONSOLIDATE ROUTES, AND PROVIDE A REGISTRY IDENTIFYING PARTICIPATING CLIENTS AND ANY SPECIALIZED CARE NEEDS THAT MUST BE MET IN ORDER TO EFFECTIVELY COORDINATE TRANSPORTATION;

(V) REPORTING REQUIREMENTS FOR COST SAVINGS ACHIEVED THROUGH TRANSPORTATION COORDINATION;

(VI) RECOMMENDATIONS FOR RATE ADJUSTMENTS OR REIMBURSEMENT CHANGES BASED ON COORDINATED TRANSPORTATION AND THE PARTICIPATION OF MULTIPLE HUMAN SERVICE AGENCIES; AND

(VII) REPORTING REQUIREMENTS FOR IMPACTS TO INDIVIDUAL CARE AND COMPLIANCE WITH THE RELEVANT STATE AND FEDERAL LAWS.

(B) WITHIN AMOUNTS APPROPRIATED THEREFOR, THE COMMISSIONER, IN COOPERATION WITH THE COMMISSIONER OF DEVELOPMENTAL DISABILITIES, SHALL ESTABLISH AN INTEGRATED TRANSPORTATION DEMONSTRATION PROGRAM WHICH SHALL BE DEVELOPED IN FIVE LOCATIONS OF THE STATE, EACH CONSISTING OF ONE OR MORE COUNTIES. FOUR OF THESE LOCATIONS SHALL INCLUDE A COUNTY HAVING A POPULATION OF NOT MORE THAN TWO HUNDRED THOUSAND ACCORDING TO THE TWO THOUSAND TEN FEDERAL DECENNIAL CENSUS.

THE COMMISSIONER SHALL DIRECT A TRANSPORTATION PROVIDER IN EACH SUCH LOCATION TO STUDY HOW THE COORDINATION BETWEEN LOCAL HUMAN SERVICE AGENCIES PROVIDING TRANSPORTATION CAN INCREASE TRANSPORTATION ACCESSIBILITY FOR INTEGRATED SUPPORTED EMPLOYMENT OPPORTUNITIES TO INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES IN ACCORDANCE WITH SECTION 13.41 OF THE MENTAL HYGIENE LAW. EACH SUCH TRANSPORTATION PROVIDER PARTICIPATING IN THE PROGRAM SHALL STUDY THE COST BENEFITS OF COORDINATING TRANSPORTATION, THE QUALITY OF TRANSPORTATION, ACCESS FOR CLIENT POPULATIONS AND THE OUTCOMES OF INDIVIDUALS RECEIVING THE SERVICES. EVERY SUCH TRANSPORTATION PROVIDER SHALL REPORT ITS FINDINGS TO THE COMMISSIONER AND THE COMMISSIONER OF DEVELOPMENTAL DISABILITIES, WHO SHALL JOINTLY EVALUATE THE FINDINGS OF THE STUDY, AND REPORT THEREON TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY.

S 4. This act shall take effect immediately, except that paragraph (a) of subdivision 36 of section 14 of the transportation law, as added by section three of this act, shall take effect April 1, 2015.