

4777--A

2013-2014 Regular Sessions

I N   S E N A T E

April 23, 2013

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Introduced by Sens. GOLDEN, ADDABBO, BRESLIN, GRIFFO, HANNON, KENNEDY, MAZIARZ, NOZZOLIO, O'MARA, TKACZYK -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT making an appropriation to the office for people with developmental disabilities for the purpose of providing additional services and expenses for community programs for people with developmental disabilities

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

1     Section 1. Statement of legislative intent. The legislature hereby  
2 finds that providing people with developmental disabilities high quality  
3 care is a critical state responsibility as affirmed in public policy  
4 including federal and state court cases and legislation. Furthermore the  
5 legislature recognizes that critical reductions in state funding were  
6 enacted during the fiscal year 2013-2014 budget which will, if not  
7 restored, erode the quality of care for these vulnerable individuals  
8 over time and sabotage state and federal mandates to achieve transforma-  
9 tional objectives and transition to managed care. The legislature also  
10 recognizes that, in accordance with budget language enacted as part of  
11 chapter 53 of the laws of 2013, substantial and laudable progress has  
12 been made by the executive working in cooperation with people with  
13 developmental disabilities, their families and providers toward finding  
14 savings to minimize the impact of fiscal year 2013-2014 funding  
15 reductions. However, it is not sufficiently clear to what extent the  
16 impact of these cuts have been minimized. Therefore it is the intent of  
17 the legislature to ensure that the fiscal year 2013-2014 reduction be  
18 fully restored and savings generated which are attributable to program  
19 reductions, administrative reductions, more efficient operations or  
20 appropriate lower cost care stay within the office for people with

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

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1 developmental disabilities' voluntary system for reinvestment towards  
2 unmet needs. Finally, this bill provides a cost effective vehicle for  
3 achieving its goals since it utilizes elements of the savings plan  
4 developed pursuant to chapter 53 of the laws of 2013 to reduce the actu-  
5 al appropriation required.

6 S 2. The sum of ninety million dollars (\$90,000,000), or so much ther-  
7 eof as may be necessary, is hereby appropriated to the office for people  
8 with developmental disabilities out of any moneys in the state treasury  
9 in the general fund, not otherwise appropriated, and made immediately  
10 available, for the purposes of this act. Such funding shall therefore  
11 supplement the monies appropriated by chapter 53 of the laws of 2013 to  
12 the office for people with developmental disabilities and shall be  
13 subject to the same conditions and requirements as stipulated in such  
14 chapter, including sub-allocations to the department of health for the  
15 state's medical assistance program.

16 The amount of such monies appropriated shall be determined by the  
17 commissioner of the office for people with developmental disabilities  
18 and the director of the budget and shall be based on a recommendation  
19 developed by the workgroup appointed pursuant to chapter 53 of the laws  
20 of 2013. The workgroup shall develop its recommendation upon evaluating  
21 the extent to which the savings plan it developed pursuant to budget  
22 language included in chapter 53 of the laws of 2013 results in any addi-  
23 tional federal funds or other funds being made available that may be  
24 used to offset the requirement to appropriately use the full ninety  
25 million dollars (\$90,000,000). To the extent that these additional  
26 sources of funding fall short of \$90,000,000 no later than December 31,  
27 2013 the director of the budget shall cause to be deposited sufficient  
28 funds to make up for such shortfall to the credit of the general fund.

29 S 3. This act shall take effect immediately.