

3404

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 22, 2015

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Introduced by M. of A. TITONE -- read once and referred to the Committee  
on Mental Health

AN ACT relating to technology systems used for locating missing children  
with developmental disabilities

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

- 1     Section 1. The legislature hereby finds that the tragedy of Avonte  
2     Oquendo who wandered away from his school never to be found alive again  
3     highlights the continuing need to find ways to protect children with  
4     developmental disabilities. Furthermore, the legislature finds that  
5     timing plays a crucial role in preventing wandering incidents and  
6     wandering-related deaths of children with autism or other developmental  
7     disabilities. Because of this, the legislature finds that coordination  
8     of search and rescue protocols that involve locator devices work most  
9     effectively when systems are coordinated.
- 10    S 2. The commissioner of the division of criminal justice services, in  
11    consultation with the commissioner of the office for people with devel-  
12    opmental disabilities, shall review information technology systems used  
13    for locating missing children with developmental disabilities including  
14    those that have been established by local governments for locating miss-  
15    ing persons for the purpose of making recommendations on the creation of  
16    a statewide communication program that could be utilized by entities  
17    operating such locator systems. Such review shall include but not be  
18    limited to:
- 19    a. a survey of all current information technology systems used by  
20    local governments including but not limited to global positioning  
21    systems, radiotermination technology, telemetry and satellite position-  
22    ing systems;
- 23    b. an analysis of appropriate means for coordination of information  
24    sharing amongst entities that currently utilize locator systems;

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

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1 c. a standardized process to assist local governments and other enti-  
2 ties interested in establishing a locator system;

3 d. a process for synchronizing locator systems throughout the state;  
4 and

5 e. appropriate response procedures by law enforcement when conducting  
6 search and rescue operations involving a child with developmental disa-  
7 bilities.

8 S 3. Such review and recommendations made pursuant to section two of  
9 this act shall be published in a report and provided to the governor,  
10 temporary president of the senate and speaker of the assembly no later  
11 than one hundred twenty days following enactment.

12 S 4. The superintendent of the department of financial services, in  
13 consultation with the commissioner of the department of health, shall  
14 conduct a study to review health insurance coverage of technology  
15 systems used for locating children with developmental disabilities when  
16 the treating physician or other licensed health care provider deems it  
17 necessary for the health and safety of the child. In conducting its  
18 study, the department of financial services shall consider whether and  
19 to what extent insurance companies in the state currently cover technol-  
20 ogy systems used for locating children with developmental disabilities;  
21 whether and to what extent coverage of technology systems used for  
22 locating children with developmental disabilities would impact premiums;  
23 the cost to the state of the new mandate; and to what extent coverage  
24 should include rate of use, repair and maintenance, and monthly  
25 subscriber fees.

26 S 5. The department of financial services shall consult with relevant  
27 stakeholders, including insurance companies, consumer advocacy groups,  
28 disability advocacy groups, and any other person or entity such depart-  
29 ment deems necessary. Such department shall issue a report of its find-  
30 ings as well as its recommendations as to whether insurance coverage of  
31 technology systems used for locating children with developmental disa-  
32 bilities is feasible, the extent to which such coverage should be  
33 provided, and the impact this would have on premiums as well as the cost  
34 to the state. Such department shall submit its report to the governor,  
35 the temporary president of the senate, the speaker of the assembly, and  
36 the chairs of the senate and assembly standing committees on insurance  
37 no later than one hundred eighty days following the effective date of  
38 this act.

39 S 6. This act shall take effect immediately.