

4931

2015-2016 Regular Sessions

I N   A S S E M B L Y

February 9, 2015

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

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:

1     Section 1. Section 13.09 of the mental hygiene law is amended by  
2     adding a new subdivision (h) to read as follows:  
3     (H) THE COMMISSIONER SHALL PROVIDE SUCH COOPERATION AND ASSISTANCE TO  
4     THE COMMISSIONER OF TRANSPORTATION AS THE COMMISSIONER OF TRANSPORTATION  
5     SHALL DEEM TO BE NECESSARY OR DESIRABLE FOR PURPOSES OF PLANNING AND  
6     ESTABLISHING AN INTEGRATED TRANSPORTATION DEMONSTRATION PROGRAM PURSUANT  
7     TO SUBDIVISION THIRTY-SIX OF SECTION FOURTEEN OF THE TRANSPORTATION LAW.  
8     S 2. Section 2 of the transportation law is amended by adding a new  
9     subdivision 33-a to read as follows:  
10    33-A. "TRANSPORTATION PROVIDER" MEANS ANY PUBLIC, PRIVATE OR NOT-FOR-  
11    PROFIT ENTITY, AUTHORIZED OR EXEMPT PURSUANT TO ARTICLE SEVEN OF THIS  
12    CHAPTER, UTILIZING PUBLIC FUNDS TO PROVIDE OR CONTRACT FOR TRANSPORTA-  
13    TION SERVICES FOR THE BENEFIT OF THE GENERAL PUBLIC OR SPECIFIC CLIENT  
14    GROUPS.  
15    S 3. Section 14 of the transportation law is amended by adding a new  
16    subdivision 36 to read as follows:  
17    36. (A) THE COMMISSIONER, IN CONJUNCTION WITH THE COMMISSIONER OF  
18    DEVELOPMENTAL DISABILITIES, AND IN CONSULTATION WITH CONSUMER GROUPS,  
19    TRANSPORTATION PROVIDERS AND TRANSPORTATION SYSTEMS, SHALL DEVELOP A  
20    PLAN WHICH SHALL, AT A MINIMUM, PROVIDE RECOMMENDATIONS FOR THE ESTAB-  
21    LISHMENT OF THE INTEGRATED TRANSPORTATION DEMONSTRATION PROGRAM REQUIRED  
22    BY PARAGRAPH (B) OF THIS SUBDIVISION. THE PLAN DEVELOPED PURSUANT TO  
23    THIS PARAGRAPH SHALL BE SUBMITTED TO THE DIRECTOR OF THE BUDGET, THE

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

LBD04434-01-5

1 TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY NO  
2 LATER THAN JANUARY FIRST, TWO THOUSAND SIXTEEN, FOR CONSIDERATION IN THE  
3 EXECUTIVE BUDGET FOR THE TWO THOUSAND SIXTEEN-TWO THOUSAND SEVENTEEN  
4 STATE FISCAL YEAR.

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

7 (I) IDENTIFICATION OF LOCALLY BASED TRANSPORTATION PROVIDERS AND  
8 TRANSPORTATION SYSTEMS EQUIPPED TO PARTICIPATE IN THE INTEGRATED TRANS-  
9 PORTATION DEMONSTRATION PROGRAM;

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

17 (III) CONSIDERATIONS REGARDING THE AVAILABILITY OF PUBLIC TRANSPORTA-  
18 TION, PUBLIC SAFETY CONCERNS AND THE DUPLICATION OF SERVICES;

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

24 (V) REPORTING REQUIREMENTS FOR COST SAVINGS ACHIEVED THROUGH TRANSPOR-  
25 TATION COORDINATION;

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

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

31 (B) WITHIN AMOUNTS APPROPRIATED THEREFOR, THE COMMISSIONER, IN COOPER-  
32 ATION WITH THE COMMISSIONER OF DEVELOPMENTAL DISABILITIES, SHALL ESTAB-  
33 LISH AN INTEGRATED TRANSPORTATION DEMONSTRATION PROGRAM WHICH SHALL BE  
34 DEVELOPED IN FIVE LOCATIONS OF THE STATE, EACH CONSISTING OF ONE OR MORE  
35 COUNTIES. FOUR OF THESE LOCATIONS SHALL INCLUDE A COUNTY HAVING A POPU-  
36 LATION OF NOT MORE THAN TWO HUNDRED THOUSAND ACCORDING TO THE TWO THOU-  
37 SAND TEN FEDERAL DECENNIAL CENSUS.

38 THE COMMISSIONER SHALL DIRECT A TRANSPORTATION PROVIDER IN EACH SUCH  
39 LOCATION TO STUDY HOW THE COORDINATION BETWEEN LOCAL HUMAN SERVICE AGEN-  
40 CIES PROVIDING TRANSPORTATION CAN INCREASE TRANSPORTATION ACCESSIBILITY  
41 FOR INTEGRATED SUPPORTED EMPLOYMENT OPPORTUNITIES TO INDIVIDUALS WITH  
42 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES IN ACCORDANCE WITH SECTION  
43 13.41 OF THE MENTAL HYGIENE LAW. EACH SUCH TRANSPORTATION PROVIDER  
44 PARTICIPATING IN THE PROGRAM SHALL STUDY THE COST BENEFITS OF COORDINAT-  
45 ING TRANSPORTATION, THE QUALITY OF TRANSPORTATION, ACCESS FOR CLIENT  
46 POPULATIONS AND THE OUTCOMES OF INDIVIDUALS RECEIVING THE SERVICES.  
47 EVERY SUCH TRANSPORTATION PROVIDER SHALL REPORT ITS FINDINGS TO THE  
48 COMMISSIONER AND THE COMMISSIONER OF DEVELOPMENTAL DISABILITIES, WHO  
49 SHALL JOINTLY EVALUATE THE FINDINGS OF THE STUDY, AND REPORT THEREON TO  
50 THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF  
51 THE ASSEMBLY.

52 S 4. This act shall take effect immediately, except that paragraph (a)  
53 of subdivision 36 of section 14 of the transportation law, as added by  
54 section three of this act, shall take effect April 1, 2016.