

7200

2015-2016 Regular Sessions

I N   A S S E M B L Y

April 28, 2015

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

AN ACT to amend the public health law, in relation to services for individuals with developmental disabilities

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    (a-1) If the commissioner and the commissioner of the office for  
11 people with developmental disabilities determine that such organization  
12 lacks the experience required in paragraph (a) of this subdivision, the  
13 organization shall have an affiliation arrangement with an entity or  
14 entities THAT ARE NON-PROFIT with experience serving persons with devel-  
15 opmental disabilities, INCLUDING, BUT NOT LIMITED TO, RESIDENTIAL, DAY,  
16 AND EMPLOYMENT SERVICES such that the affiliated entity will coordinate  
17 and plan services operated, certified, funded, authorized or approved by  
18 the office for people with developmental disabilities or will oversee  
19 and approve such coordination and planning;

20    S 2. Paragraph (a-1) of subdivision 12 of section 4403-f of the public  
21 health law, as added by section 76 of part A of chapter 56 of the laws  
22 of 2013, is amended to read as follows:

23    (a-1) If the commissioner and the commissioner of the office for  
24 people with developmental disabilities determine that such plan lacks  
25 the experience required in paragraph (a) of this subdivision, the plan

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

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1 shall have an affiliation arrangement with an entity or entities THAT  
2 ARE NON-PROFIT with experience serving persons with developmental disa-  
3 bilities, INCLUDING, BUT NOT LIMITED TO, RESIDENTIAL, DAY AND EMPLOYMENT  
4 SERVICES, such that the affiliated entity will coordinate and plan  
5 services operated, certified, funded, authorized or approved by the  
6 office for people with developmental disabilities or will oversee and  
7 approve such coordination and planning;  
8 S 3. This act shall take effect immediately, provided, however, that  
9 the amendments to subdivision 8 of section 4403 of the public health law  
10 made by section one of this act shall not affect the repeal of such  
11 subdivision and shall be deemed repealed therewith; provided, further  
12 that the amendments to subdivision 12 of section 4403-f of the public  
13 health law made by section two of this act shall not affect the repeal  
14 of such subdivision and such section and shall be deemed repealed there-  
15 with.