

3637--A

2015-2016 Regular Sessions

I N   S E N A T E

February 13, 2015

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Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities -- recommitted to the Committee on Mental Health and Developmental Disabilities in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to establishing the task force on adults with developmental disabilities; and providing for the repeal of such provisions upon expiration thereof

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

1     Section 1. Legislative findings. The legislature finds that develop-  
2     mental disabilities require a lifetime of person-centered services and  
3     supports, yet much of the focus on developmental disabilities relates to  
4     education and development, and neglects concerns that may arise later in  
5     a person's life. The legislature also finds that adults with develop-  
6     mental disabilities may face significant challenges in various aspects  
7     of their lives, including such areas as job placement, housing and long-  
8     term care. Consequently, the legislature finds that there is a pressing  
9     need for policymakers and advocates in the state to formulate achievable  
10    goals for state government to meet in order to better serve the communi-  
11    ty of adults with developmental disabilities. To this end, it is in the  
12    public interest to establish a task force on adults with developmental  
13    disabilities to develop a comprehensive plan for meeting the various  
14    needs of adults with developmental disabilities living in New York.

15    S 2. The mental hygiene law is amended by adding a new section 13.42  
16    to read as follows:

17    S 13.42 TASK FORCE ON ADULTS WITH DEVELOPMENTAL DISABILITIES.

18    (A) THERE IS HEREBY ESTABLISHED THE TASK FORCE ON ADULTS WITH DEVELOP-  
19    MENTAL DISABILITIES IN THE OFFICE. THE PURPOSE OF THE TASK FORCE SHALL  
20    BE TO STUDY, EVALUATE AND DEVELOP RECOMMENDATIONS RELATING TO SPECIFIC

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

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1 ACTIONABLE MEASURES TO SUPPORT AND MEET THE NEEDS OF ADULTS WITH DEVEL-  
2 OPMENTAL DISABILITIES WHO ARE RESIDENTS OF THE STATE, INCLUDING SUCH  
3 NEEDS AS VOCATIONAL, RESIDENTIAL AND SOCIAL NEEDS. ADDITIONALLY, THE  
4 TASK FORCE SHALL STUDY THE LONG TERM NEEDS OF ADULTS WITH DEVELOPMENTAL  
5 DISABILITIES WHO RESIDE WITH CAREGIVERS. THE RECOMMENDATIONS OF THE TASK  
6 FORCE SHALL COMPRISE THE BASIS FOR A COMPREHENSIVE PLAN FOR MEETING THE  
7 NEEDS OF ADULTS WITH DEVELOPMENTAL DISABILITIES, AND SHALL BE SUBMITTED  
8 TO THE GOVERNOR AND THE LEGISLATURE PURSUANT TO SUBDIVISION (F) OF THIS  
9 SECTION.

10 (B) THE TASK FORCE SHALL CONSIST OF TEN MEMBERS AS FOLLOWS:

11 (1) THE COMMISSIONER, THE COMMISSIONER OF MENTAL HEALTH, THE COMMIS-  
12 SIONER OF HOUSING AND COMMUNITY RENEWAL, THE COMMISSIONER OF HEALTH,  
13 THE COMMISSIONER OF EDUCATION AND THE COMMISSIONER OF LABOR; AND

14 (2) FOUR MEMBERS WITH DEMONSTRATED EXPERTISE IN ISSUES RELATING TO THE  
15 WORK OF THE TASK FORCE; WITH TWO SUCH MEMBERS APPOINTED BY THE GOVERNOR,  
16 ONE SUCH MEMBER APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE, AND  
17 ONE SUCH MEMBER APPOINTED BY THE SPEAKER OF THE ASSEMBLY, NO LATER THAN  
18 THE THIRTIETH DAY AFTER THE EFFECTIVE DATE OF THIS SECTION.

19 VACANCIES IN THE MEMBERSHIP OF THE TASK FORCE SHALL BE FILLED IN THE  
20 SAME MANNER PROVIDED FOR BY THE ORIGINAL APPOINTMENTS.

21 (C) THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE SHALL SERVE AS  
22 CHAIRPERSON OF THE TASK FORCE. THE TASK FORCE SHALL ORGANIZE AS SOON AS  
23 PRACTICABLE FOLLOWING THE APPOINTMENT OF ITS MEMBERS AND SHALL SELECT A  
24 VICE-CHAIRPERSON FROM AMONG THE MEMBERS. THE CHAIRPERSON SHALL APPOINT A  
25 SECRETARY WHO NEED NOT BE A MEMBER OF THE TASK FORCE.

26 (D) THE MEMBERS OF THE TASK FORCE SHALL RECEIVE NO COMPENSATION FOR  
27 THEIR SERVICES, BUT SHALL BE ALLOWED THEIR ACTUAL AND NECESSARY EXPENSES  
28 INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

29 (E) TO THE MAXIMUM EXTENT FEASIBLE, THE TASK FORCE SHALL BE ENTITLED  
30 TO REQUEST AND RECEIVE, AND SHALL UTILIZE AND BE PROVIDED WITH SUCH  
31 FACILITIES, RESOURCES AND DATA OF ANY COURT, DEPARTMENT, DIVISION,  
32 BOARD, BUREAU, COMMISSION OR AGENCY OF THE STATE OR ANY POLITICAL SUBDI-  
33 VISION THEREOF AS IT MAY REASONABLY REQUEST TO PROPERLY CARRY OUT ITS  
34 POWERS AND DUTIES.

35 (F) THE TASK FORCE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO  
36 THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF  
37 THE ASSEMBLY ON OR BEFORE JANUARY FIRST, TWO THOUSAND EIGHTEEN.

38 S 3. This act shall take effect immediately and shall expire and be  
39 deemed repealed two years after such effective date.