

10558

I N   A S S E M B L Y

June 3, 2016

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Introduced by COMMITTEE ON RULES -- (at request of M. of A. Santabarbara) -- read once and referred to the Committee on Mental Health

AN ACT to amend the mental hygiene law, in relation to establishing the autism spectrum disorders program

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

- 1     Section 1. The mental hygiene law is amended by adding a new section  
2     13.42 to read as follows:  
3     S 13.42 AUTISM SPECTRUM DISORDERS PROGRAM.  
4     (A) THE OFFICE SHALL HAVE THE CENTRAL RESPONSIBILITY FOR ADMINISTERING  
5     THE PROVISIONS OF THIS ARTICLE AND OTHERWISE COORDINATING THE STATE'S  
6     POLICIES WITH RESPECT TO AUTISM SPECTRUM DISORDERS, IN CONSULTATION WITH  
7     THE DEPARTMENT OF HEALTH, THE OFFICE OF MENTAL HEALTH, THE DEPARTMENT OF  
8     EDUCATION, THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, THE  
9     OFFICE OF CHILDREN AND FAMILY SERVICES, THE OFFICE OF TEMPORARY DISABIL-  
10    ITY ASSISTANCE, THE COUNCIL ON CHILDREN AND FAMILIES, THE DEPARTMENT OF  
11    FINANCIAL SERVICES, THE DEVELOPMENTAL DISABILITIES PLANNING COUNCIL AND  
12    THE JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS.  
13    (B) THE OFFICE SHALL HAVE THE FOLLOWING FUNCTIONS AND DUTIES:  
14    (1) TO DEVELOP, IMPLEMENT, MONITOR, AND ANNUALLY UPDATE A STATEWIDE  
15    AUTISM SPECTRUM DISORDERS PROGRAM WHICH SHALL PROVIDE FOR COMPREHENSIVE,  
16    LIFESPAN SUPPORTS TO INDIVIDUALS WITH AUTISM SPECTRUM DISORDERS AND  
17    THEIR FAMILIES THROUGH ACCESS TO INFORMATION AND RESOURCES, COORDINATION  
18    OF SERVICES, AND IMPLEMENTATION OF EVIDENCE-BASED PRACTICES;  
19    (2) TO FURNISH THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE,  
20    AND THE SPEAKER OF THE ASSEMBLY WITH THE ANNUALLY UPDATED PLAN REQUIRED  
21    PURSUANT TO PARAGRAPH ONE OF THIS SUBDIVISION NO LATER THAN SIXTY DAYS  
22    AFTER THE CLOSE OF EACH FISCAL YEAR;  
23    (3) TO ACCEPT AND EXPEND ANY GRANTS, AWARDS OF OTHER FUNDS OR APPRO-  
24    PRIATIONS AS MAY BE AVAILABLE FOR THESE PURPOSES, SUBJECT TO LIMITATIONS  
25    AS TO THE APPROVAL OF EXPENDITURES AND AUDITS AS PRESCRIBED FOR STATE  
26    FUNDS BY THE STATE FINANCE LAW; AND  
27    (4) TO THE EXTENT FEASIBLE, UTILIZE EXISTING ORGANIZATIONS WITH DEMON-  
28    STRATED INTEREST AND EXPERTISE IN SERVING PERSONS WITH AUTISM SPECTRUM

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

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1 DISORDERS AND SHALL, WITHIN FUNDS AVAILABLE, ENTER INTO CONTRACTS WITH  
2 SUCH ORGANIZATIONS.

3 (C) (1) THERE IS HEREBY ESTABLISHED WITHIN THE OFFICE THE AUTISM SPEC-  
4 TRUM DISORDERS ADVISORY BOARD.

5 (2) SUCH BOARD SHALL CONSIST OF NINETEEN MEMBERS, TEN OF WHOM SHALL BE  
6 APPOINTED AND NINE OF WHOM SHALL SERVE EX OFFICIO. OF THE TEN APPOINTED  
7 MEMBERS, TWO SHALL BE APPOINTED BY THE GOVERNOR, TWO SHALL BE APPOINTED  
8 BY THE TEMPORARY PRESIDENT OF THE SENATE, TWO SHALL BE APPOINTED BY THE  
9 SPEAKER OF THE ASSEMBLY, TWO SHALL BE APPOINTED BY THE MINORITY LEADER  
10 OF THE SENATE AND TWO SHALL BE APPOINTED BY THE MINORITY LEADER OF THE  
11 ASSEMBLY. OF THE TWO MEMBERS APPOINTED BY EACH APPOINTING AUTHORITY, ONE  
12 MEMBER SHALL HAVE EXPERTISE OF WORK AS A PROFESSIONAL IN THE FIELD OF  
13 AUTISM AND ONE MEMBER SHALL BE A FAMILY ADVOCATE OR SELF-ADVOCATE IN THE  
14 COMMUNITY THAT SUCH ADVOCATE RESIDES. A REPRESENTATIVE FROM EACH OF THE  
15 FOLLOWING STATE AGENCIES SHALL SERVE EX OFFICIO: THE OFFICE FOR PEOPLE  
16 WITH DEVELOPMENTAL DISABILITIES; THE DEPARTMENT OF EDUCATION; THE OFFICE  
17 OF MENTAL HEALTH; THE OFFICE OF CHILDREN AND FAMILY SERVICES; THE  
18 DEPARTMENT OF HEALTH; THE DEVELOPMENTAL DISABILITIES PLANNING COUNCIL;  
19 THE COUNCIL ON CHILDREN AND FAMILIES; AND THE OFFICE OF VOCATIONAL AND  
20 EDUCATIONAL SERVICES FOR INDIVIDUALS WITH DISABILITIES. THE CHAIR OF  
21 THE BOARD SHALL BE SELECTED BY THE GOVERNOR.

22 (3) MEMBERS OF THE BOARD SHALL SERVE AT THE PLEASURE OF THE APPOINTING  
23 AUTHORITY. VACANCIES ON THE BOARD SHALL BE FILLED IN THE SAME MANNER AS  
24 THE ORIGINAL APPOINTMENT. MEMBERS OF THE BOARD SHALL RECEIVE NO COMPEN-  
25 SATION, BUT MAY BE REIMBURSED FOR ACTUAL AND NECESSARY EXPENSES INCURRED  
26 IN THE PERFORMANCE OF THEIR DUTIES WITHIN AMOUNTS APPROPRIATED THEREFOR.

27 (4) SUCH BOARD SHALL MEET AT LEAST QUARTERLY. SPECIAL MEETINGS MAY BE  
28 CALLED BY THE CHAIR. THE AGENDA AND MEETING PLACE OF ALL REGULAR OR  
29 SPECIAL MEETINGS SHALL BE MADE AVAILABLE TO THE PUBLIC IN ADVANCE OF  
30 SUCH MEETINGS.

31 S 2. This act shall take effect immediately.