

3404

2015-2016 Regular Sessions

I N A S S E M B L Y

January 22, 2015

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.