S T A T E O F N E W Y O R K

8635

2015-2016 Regular Sessions

I N A S S E M B L Y

December 23, 2015

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

AN ACT to amend the public health law, in relation to establishing the autism spectrum disorders plan

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

Section 1. The public health law is amended by adding a new article 27-L to read as follows:

ARTICLE 27-L

AUTISM SPECTRUM DISORDERS

SECTION 2799-V. AUTISM SPECTRUM DISORDERS PROGRAM.
2799-W. FUNCTIONS, POWERS AND DUTIES OF THE DEPARTMENT.
2799-X. AUTISM SPECTRUM DISORDERS ADVISORY BOARD.

S 2799-V. AUTISM SPECTRUM DISORDERS PROGRAM. THE DEPARTMENT SHALL HAVE THE CENTRAL RESPONSIBILITY FOR ADMINISTERING THE PROVISIONS OF THIS ARTICLE AND OTHERWISE COORDINATING THE STATE'S POLICIES WITH RESPECT TO AUTISM SPECTRUM DISORDERS, IN CONSULTATION WITH THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES, THE OFFICE OF MENTAL HEALTH, THE DEPARTMENT OF EDUCATION, THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, THE DEPARTMENT OF FAMILY ASSISTANCE, THE OFFICE OF THE ADVOCATE FOR PERSONS WITH DISABILITIES AND THE COMMISSION ON QUALITY OF CARE FOR THE MENTALLY DISABLED.

S 2799-W. FUNCTIONS, POWERS AND DUTIES OF THE DEPARTMENT. THE DEPARTMENT SHALL HAVE THE FOLLOWING FUNCTIONS AND DUTIES:

1. TO DEVELOP, IMPLEMENT, MONITOR, AND ANNUALLY UPDATE A STATEWIDE AUTISM SPECTRUM DISORDERS PROGRAM WHICH SHALL PROVIDE FOR COMPREHENSIVE, LIFESPAN SUPPORTS TO INDIVIDUALS WITH AUTISM SPECTRUM DISORDERS AND THEIR FAMILIES THROUGH ACCESS TO INFORMATION AND RESOURCES, COORDINATION OF SERVICES, AND IMPLEMENTATION OF EVIDENCE-BASED PRACTICES;

2. TO FURNISH THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE ASSEMBLY WITH THE ANNUALLY UPDATED PLAN REQUIRED

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

LBD13207-01-5

PURSUANT TO SUBDIVISION ONE OF THIS SECTION NO LATER THAN SIXTY DAYS AFTER THE CLOSE OF EACH FISCAL YEAR;

3. TO ACCEPT AND EXPEND ANY GRANTS, AWARDS OF OTHER FUNDS OR APPROPRIATIONS AS MAY BE AVAILABLE FOR THESE PURPOSES, SUBJECT TO LIMITATIONS AS TO THE APPROVAL OF EXPENDITURES AND AUDITS AS PRESCRIBED FOR STATE FUNDS BY THE STATE FINANCE LAW; AND

4. TO THE EXTENT FEASIBLE, UTILIZE EXISTING ORGANIZATIONS WITH DEMONSTRATED INTEREST AND EXPERTISE IN SERVING PERSONS WITH AUTISM SPECTRUM DISORDERS AND SHALL, WITHIN FUNDS AVAILABLE, ENTER INTO CONTRACTS WITH SUCH ORGANIZATIONS.

S 2799-X. AUTISM SPECTRUM DISORDERS ADVISORY BOARD. 1. THERE IS HEREBY ESTABLISHED WITHIN THE DEPARTMENT THE AUTISM SPECTRUM DISORDERS ADVISORY BOARD.

2. SUCH BOARD WILL CONSIST OF NINETEEN MEMBERS, TEN OF WHOM SHALL BE APPOINTED AND NINE OF WHOM SHALL SERVE EX OFFICIO. OF THE TEN APPOINTED MEMBERS, TWO SHALL BE APPOINTED BY THE GOVERNOR, TWO SHALL BE APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE, TWO SHALL BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY, TWO SHALL BE APPOINTED BY THE MINORITY LEADER OF THE SENATE AND TWO SHALL BE APPOINTED BY THE MINORITY LEADER OF THE ASSEMBLY. OF THE TWO MEMBERS APPOINTED BY EACH APPOINTING AUTHORITY, ONE MEMBER SHALL HAVE EXPERTISE OF WORK AS A PROFESSIONAL IN THE FIELD OF AUTISM AND ONE MEMBER SHALL BE A FAMILY ADVOCATE OR SELF-ADVOCATE IN THE COMMUNITY THAT SUCH ADVOCATE RESIDES. A REPRESENTATIVE FROM EACH OF THE FOLLOWING STATE AGENCIES SHALL SERVE EX OFFICIO: THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES; THE DEPARTMENT OF EDUCATION; THE OFFICE OF MENTAL HEALTH; THE OFFICE OF CHILDREN AND FAMILY SERVICES; THE DEPARTMENT; THE COMMISSION ON QUALITY OF CARE AND ADVOCACY FOR PERSONS WITH DISABILITIES; THE DEVELOPMENTAL PLANNING COUNCIL; THE COUNCIL ON CHILDREN AND FAMILY SERVICES; AND THE OFFICE OF VOCATIONAL AND EDUCATIONAL SERVICES FOR INDIVIDUALS WITH DISABILITIES. THE CHAIR OF THE BOARD SHALL BE SELECTED BY THE GOVERNOR.

3. MEMBERS OF THE BOARD SHALL SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY. VACANCIES ON THE BOARD SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT. MEMBERS OF THE BOARD SHALL RECEIVE NO COMPENSATION, BUT SHALL BE REIMBURSED FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES WITHIN AMOUNTS APPROPRIATED THEREFOR.

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

S 2. This act shall take effect immediately.