

3638--A

2015-2016 Regular Sessions

I N S E N A T E

February 13, 2015

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

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1 (a-1) If the commissioner and the commissioner of the office for
2 people with developmental disabilities determine that such plan lacks
3 the experience required in paragraph (a) of this subdivision, the plan
4 shall have an affiliation arrangement with an entity or entities THAT
5 ARE NON-PROFIT with experience serving persons with developmental disa-
6 bilities, INCLUDING, BUT NOT LIMITED TO, RESIDENTIAL, DAY AND EMPLOYMENT
7 SERVICES, such that the affiliated entity will coordinate and plan
8 services operated, certified, funded, authorized or approved by the
9 office for people with developmental disabilities or will oversee and
10 approve such coordination and planning;

11 S 3. This act shall take effect immediately, provided, however, that
12 the amendments to subdivision 8 of section 4403 of the public health law
13 made by section one of this act shall not affect the repeal of such
14 subdivision and shall be deemed repealed therewith; provided, further
15 that the amendments to subdivision 12 of section 4403-f of the public
16 health law made by section two of this act shall not affect the repeal
17 of such subdivision and such section and shall be deemed repealed there-
18 with.