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

7644

I N  S E N A T E

May 12, 2016

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to establishing a transformation panel within the office for people 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:

Section 1. The mental hygiene law is amended by adding a new section 13.43 to read as follows:

S 13.43 TRANSFORMATION PANEL.

(A) THE COMMISSIONER SHALL ESTABLISH A TRANSFORMATION PANEL FOR THE PURPOSE OF DEVELOPING AN IMPLEMENTATION PLAN WHICH SHALL INCLUDE RECOMMENDATIONS AND STRATEGIES FOR MAINTAINING THE VIABILITY OF THE SERVICE AND SUPPORT DELIVERY SYSTEM FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES, AND TO ASSIST THE OFFICE WITH COMPLIANCE WITH FEDERAL AND STATE SERVICE DELIVERY REQUIREMENTS AND PROVIDING APPROPRIATE LEVELS OF CARE.

(B) THE PANEL SHALL BE COMPRISED OF THE COMMISSIONER OR HIS OR HER DESIGNEE; MEMBERS OF ORGANIZATIONS OR ASSOCIATIONS WHICH REPRESENT THE INTERESTS OF PERSONS WITH DISABILITIES, WHICH MAY INCLUDE PROVIDERS OF SERVICES, CONSUMER REPRESENTATIVES, ADVOCACY GROUPS, INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES, OR THEIR PARENTS OR GUARDIANS; AND AT THE DISCRETION OF THE COMMISSIONER ANY OTHER INDIVIDUAL, ENTITY OR STATE AGENCY ABLE TO SUPPORT THE PANEL IN COMPLETING THE TASKS REQUIRED UNDER THIS SECTION. THE PANEL SHALL ALSO COLLABORATE WITH LOCAL GOVERNMENTAL UNITS, WHERE APPROPRIATE, IN COMPLETING ITS TASKS.

(C) THE COMMISSIONER, IN CONSULTATION WITH THE TRANSFORMATION PANEL, SHALL PUBLISH ON THE OFFICE'S OFFICIAL WEBSITE NO LATER THAN DECEMBER THIRTY-FIRST, TWO THOUSAND SIXTEEN, THE IMPLEMENTATION PLAN, WHICH SHALL INCLUDE RECOMMENDATIONS AND STRATEGIES DEVELOPED AND PROVIDED BY THE TRANSFORMATION PANEL. THE PLAN SHALL ALSO INCLUDE A TIMELINE OF THE ANTICIPATED DATES OR TIMEFRAMES FOR SUCCESSFUL IMPLEMENTATION OF ANY RECOMMENDATION OR STRATEGY DEVELOPED BY THE TRANSFORMATION PANEL,

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

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INCLUDING ANY DATES OR BENCHMARKS RELATED TO THE SUCCESSFUL ACCOMPLISHMENT OF ANY RECOMMENDATION OR STRATEGY.

(D) THE OFFICE SHALL PROVIDE QUARTERLY UPDATES ON THE PROGRESS OF THE IMPLEMENTATION PLAN AND POST SUCH UPDATES ON ITS OFFICIAL WEBSITE, PROVIDED HOWEVER, THAT, IF THE IMPLEMENTATION PLAN IS AMENDED, OR AN ANTICIPATED DATE OR TIMEFRAME IS MODIFIED, THE OFFICE SHALL UPDATE ITS OFFICIAL WEBSITE NO MORE THAN TWO WEEKS AFTER SUCH AMENDMENT OR MODIFICATION HAS BEEN APPROVED BY THE COMMISSIONER IN CONSULTATION WITH THE TRANSFORMATION PANEL. ADDITIONALLY, SUCH UPDATES SHALL INCLUDE: (1) THE PROGRESS MADE BY THE OFFICE IN IMPLEMENTING THE PROPOSED TIMELINE; (2) ANY ANTICIPATED AND/OR ACTUAL DELAY FROM THE PROPOSED TIMELINE, INCLUDING THE REASON FOR AND ACTIONS TAKEN TO MITIGATE SUCH DELAY; AND (3) ANY OTHER INFORMATION THE OFFICE DEEMS NECESSARY AND APPROPRIATE TO KEEP STAKEHOLDERS AND THE PUBLIC INFORMED OF THE IMPLEMENTATION PLAN. THE COMMISSIONER SHALL NOTIFY THE CHAIR OF THE ASSEMBLY COMMITTEE ON MENTAL HEALTH AND THE CHAIR OF THE SENATE COMMITTEE ON MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, OF ANY UPDATE, AMENDMENT OR MODIFICATION TO THE IMPLEMENTATION PLAN WITHIN THE TIMEFRAMES SET FORTH IN THIS SUBDIVISION.

(E) PANEL MEMBERS SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES AS MEMBERS OF THE PANEL, BUT MAY BE REIMBURSED FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

S 2. This act shall take effect on the thirtieth day after it shall have become a law, and shall expire and be deemed repealed June 1, 2020.