STATE OF NEW YORK

1425--A

2017-2018 Regular Sessions

IN ASSEMBLY

January 12, 2017

Introduced by M. of A. JENNE -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to the services for individuals with traumatic brain injuries

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 2740 of the public health law, as added by chapter 196 of the laws of 1994, is amended to read as follows:

§ 2740. Traumatic brain injury 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 traumatic brain injury, in consultation with the office [~~of mental retardation and~~] **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 social services, the office of the advocate for the disabled and the commission on quality of care for the mentally disabled.

§ 2. Subdivisions 9 and 10 of section 2742 of the public health law, as added by chapter 196 of the laws of 1994, are amended and a new subdivision 11 is added to read as follows:

9. to develop training programs for persons providing discharge plans and case management; [~~and~~]

10. to develop standards for licensing or certifying residential and non-residential services for persons with traumatic brain injury to the extent that such services are not otherwise subject to the jurisdiction of another state agency[~~.~~]**; and**

11. in consultation with the office for people with developmental disabilities, ensure to the extent practicable that adequate and appropriate services are available to individuals regardless of the age of

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

LBD02546-02-8

the individual at the time the traumatic brain injury was sustained, provided, however, that the provision of such services does not displace or deny an individual with a developmental disability as defined by subdivision twenty-two of section 1.03 of the mental hygiene law from receiving services from the office for people with developmental disabilities.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that effective immediately, the addition and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.