STATE OF NEW YORK

2565--C

2017-2018 Regular Sessions

IN SENATE

January 13, 2017

Introduced by Sens. HELMING, ALCANTARA, AVELLA, BROOKS -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to providing for identification cards for individuals with developmental disabilities

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:

§ 13.43 Disabilities identification card.

(a) The commissioner shall develop an identification card denoting that a person has been medically diagnosed with a developmental disability. Such identification card may be presented to law enforcement, firefighters and emergency medical services personnel as necessary.

(b) Upon the request of a person with developmental disabilities, or the guardian or caregiver of such person, the office shall issue such developmental disabilities identification card in accordance with eligibility and documentation criteria established by the office for a fee to be determined by the commissioner.

(c) The front of such card shall indicate that it has been issued by the office pursuant to this section and shall include:

(1) the card bearer's name;

(2) the card bearer's address;

(3) the card bearer's date of birth; and

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

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(4) the following statement: "I HAVE A DEVELOPMENTAL DISABILITY. I MAY HAVE DIFFICULTY UNDERSTANDING AND FOLLOWING YOUR DIRECTIONS OR MAY BECOME UNABLE TO RESPOND. I MAY BECOME PHYSICALLY AGITATED IF YOU PROMPT ME VERBALLY OR TOUCH ME OR MOVE TOO CLOSE TO ME. A DEVELOPMENTAL DISABILITY IS NOT AN EXCUSE FOR ILLEGAL BEHAVIOR. I AM NOT INTENTIONALLY REFUSING TO COOPERATE. I MAY NEED YOUR ASSISTANCE. PLEASE SEE THE BACK OF THIS CARD."

(d) The back of such card shall include:

(1) at the card bearer's discretion, the name and phone number of an individual designated by such card bearer to be contacted in case of emergency; and

(2) a designated space where such card bearer may include any additional information.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided that, effective immediately, the addition, amendment, and/or repeal of any rules and regulations necessary to implement the provisions of this act on its effective date are authorized and directed to be completed on or before such effective date.