

# STATE OF NEW YORK

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1425--A

2017-2018 Regular Sessions

## IN ASSEMBLY

January 12, 2017

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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:

1 Section 1. Section 2740 of the public health law, as added by chapter  
2 196 of the laws of 1994, is amended to read as follows:

3 § 2740. Traumatic brain injury program. The department shall have the  
4 central responsibility for administering the provisions of this article  
5 and otherwise coordinating the state's policies with respect to traumat-  
6 ic brain injury, in consultation with the office [~~of mental retardation~~  
7 ~~and~~] for people with developmental disabilities, the office of mental  
8 health, the department of education, the office of alcoholism and  
9 substance abuse services, the department of social services, the office  
10 of the advocate for the disabled and the commission on quality of care  
11 for the mentally disabled.

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

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

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

21 11. in consultation with the office for people with developmental  
22 disabilities, ensure to the extent practicable that adequate and appro-  
23 priate 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.

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

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