

# STATE OF NEW YORK

1273--A

2021-2022 Regular Sessions

## IN SENATE

January 8, 2021

Introduced by Sens. BROOKS, GAUGHRAN, HELMING, HINCHEY, KENNEDY, MARTUC-  
CI, RIVERA, SANDERS -- read twice and ordered printed, and when print-  
ed to be committed to the Committee on Disabilities -- recommitted to  
the Committee on Disabilities in accordance with Senate Rule 6, sec. 8  
-- committee discharged, bill amended, ordered reprinted as amended  
and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to safeguarding cash  
accounts for people with developmental disabilities in a facility

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

1 Section 1. Subdivision (f) of section 16.11 of the mental hygiene law  
2 is relettered subdivision (g) and a new subdivision (f) is added to read  
3 as follows:

4 (f) The commissioner shall develop a uniform statewide policy for  
5 conducting audits for residents of article sixteen facilities for  
6 personal allowance and cash accounts. The developed policies shall  
7 include but shall not be limited to:

8 (1) the frequency of the audits, who is responsible for conducting the  
9 audits, and how the audits shall be conducted;

10 (2) training of appropriate staff on conducting an audit in accordance  
11 with policies and procedures and appropriate management of a resident's  
12 personal allowance or a cash account;

13 (3) the purchase and appropriate use of gift cards by or on behalf of  
14 residents, including, but not limited to, documentation requirements by  
15 staff, in relation to including gift cards in a resident's personal  
16 expenditure plan and notification to supervisors of the purchase or  
17 delivery of a gift card to a resident; and

18 (4) type of purchases which require receipts or documentation by the  
19 appropriate staff as well as what types of documentation are appropri-  
20 ate.

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

LBD03518-03-2

1 § 2. This act shall take effect on the one hundred twentieth day after  
2 it shall have become a law. Effective immediately, the addition, amend-  
3 ment and/or repeal of any rule or regulation necessary for the implemen-  
4 tation of this act on its effective date are authorized to be made and  
5 completed on or before such effective date.