STATE OF NEW YORK

1273--A

2021-2022 Regular Sessions

IN SENATE

January 8, 2021

Introduced by Sens. BROOKS, GAUGHRAN, HELMING, HINCHEY, KENNEDY, MARTUCCI, RIVERA, SANDERS -- read twice and ordered printed, and when printed 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 Assembly, do enact as follows:

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

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

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

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

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

(4) type of purchases which require receipts or documentation by the appropriate staff as well as what types of documentation are appropriate.

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

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