

# STATE OF NEW YORK

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1200

2023-2024 Regular Sessions

## IN ASSEMBLY

January 13, 2023

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Introduced by M. of A. EPSTEIN, BURDICK, GALLAGHER, SEAWRIGHT, CRUZ, HEVESI, GIBBS, COOK, OTIS, SANTABARBARA, DeSTEFANO -- read once and referred to the Committee on People with Disabilities

AN ACT to establish the people with disabilities access to programs commission

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

1 Section 1. 1. (a) There is hereby established a people with disabili-  
2 ties access to programs commission to examine, evaluate and make recom-  
3 mendations for new laws with respect to how the state should streamline  
4 eligibility requirements and processes for its programs and services to  
5 assist people with disabilities including but not limited to programs  
6 overseen by the office for people with developmental disabilities,  
7 office of mental health, department of health, ACCES-VR, and the office  
8 of children and family services. The commission's report shall be due  
9 by December 1, 2024.

10 (b) The commission shall be comprised of eleven members, five of which  
11 shall be appointed by the governor, two of which shall be appointed by  
12 the temporary president of the senate, two of which shall be appointed  
13 by the speaker of the assembly, one of which shall be appointed by the  
14 minority leader of the senate, and one of which shall be appointed by  
15 the minority leader of the assembly. The commission shall not be fully  
16 constituted without the appointment of the eleventh member. There shall  
17 be no chairperson appointed, and the commission shall be governed by a  
18 majority vote, and at all times, the commission shall act with a quorum.

19 2. (a) The commission shall only meet within the state and shall hold  
20 at least one hearing at which the public will be afforded an opportunity  
21 to provide comments. The commission may hold additional public hearings  
22 as it deems necessary. Such additional hearings, if any, may allow for  
23 an opportunity to provide public comments.

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

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1 (b) The members of the commission shall receive no compensation for  
2 their services but shall be allowed their actual and necessary expenses  
3 incurred in the performance of their duties hereunder. Nothing contained  
4 herein shall prohibit a member of the commission from receiving his or  
5 her salary earned by reason of their state employee position.

6 (c) No member of the commission shall be disqualified from holding any  
7 other public office or public employment, nor shall he or she forfeit  
8 any such public office or public employment by reason of his or her  
9 appointment pursuant to this section, notwithstanding the provisions of  
10 any general, special or local law, regulation, ordinance or city char-  
11 ter.

12 (d) To the maximum extent feasible and as authorized by law, the  
13 commission shall be entitled to request and receive and shall utilize  
14 and be provided with such facilities, resources and data of any court,  
15 department, division, board, bureau, commission, agency or public  
16 authority of the state or any political subdivision thereof as it may  
17 reasonably request to properly carry out its powers and duties pursuant  
18 to this act. Provided however, any information obtained by the commis-  
19 sion shall be kept confidential and shall only be utilized for the  
20 purpose of completing their responsibilities as a member of the commis-  
21 sion.

22 (e) The commission may request, and shall receive, reasonable assist-  
23 ance from state agency personnel as is necessary for the performance of  
24 its function.

25 3. The commission shall make a report to the governor and the legisla-  
26 ture of its findings, conclusions, determinations and recommendations  
27 and shall submit such report by December 1, 2024.

28 § 2. This act shall take effect immediately. The commission created by  
29 section one of this act shall be dissolved after the report required by  
30 such section has been submitted.