STATE OF NEW YORK

6801

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

Introduced by M. of A. BUTTENSCHON -- read once and referred to the Committee on Mental Health

AN ACT in relation to establishing a developmental, mental, and behavioral health community stakeholder committee; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Developmental, mental, and behavioral health community stakeholder committee. 1. The commissioner of mental health, in consultation with the commissioner of developmental disabilities, the commissioner of children and family services, and the commissioner of education, shall establish a community stakeholder committee to examine appropriate and effective evidence-based developmental, mental, and behavioral health screening methods, appropriate interventions for children with developmental, mental, or behavioral health conditions, and other educational supports for students in kindergarten through grade five. The community stakeholder committee shall consist of at least ten members. The following four members shall serve as co-chairs of the community stakeholder committee: (a) the commissioner of mental health or their designee; (b) the commissioner of developmental disabilities or their designee; (c) the commissioner of children and family services or their designee; and (d) the commissioner of education or their designee. The remaining members shall be appointed in cooperation by the temporary president of the senate and the speaker of the assembly in such a manner as to ensure that all regions of the state are represented, and shall include: (a) at least two members who specialize in identifying, evaluating, and diagnosing individuals with developmental, mental, or behavioral health conditions; (b) at least one member who specializes in educating individuals with developmental, mental, or behavioral health conditions; (c) at least one member who is a parent of a student with a developmental, mental, or behavioral health condition; (d) at least one

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

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member with a developmental, mental, or behavioral health condition; and (e) at least one member from an institute of higher education who is an expert in developmental, mental, or behavioral health conditions. All members shall have expertise in fields or disciplines related to the identification of students with developmental, mental, or behavioral health conditions.

2. The community stakeholder committee shall conduct at least two public hearings for the purpose of obtaining information from stakeholders and other interested parties, including but not limited to mental health counselors licensed pursuant to section 8402 of the education law, behavior analysts licensed pursuant to article 167 of the education law, teachers, school administrators, and parents.

3. The community stakeholder committee shall prepare and submit a report of its findings and recommendations to the governor, temporary president of the senate, and speaker of the assembly eighteen months after the effective date of this act.

4. For the purposes of this act:

(a) The term "screening methods" shall mean the identification, testing, and evaluation of developmental, mental, or behavioral health conditions.

(b) The term "developmental, mental, or behavioral health condition" shall mean a disability, problem or disorder of behavior, character, development, emotion, personality, relationship, or other such condition as may be identified as:

(i) a mental health condition by a mental health counselor licensed pursuant to section 8402 of the education law;

(ii) autism, autism spectrum disorder, or a related disorder by a behavior analyst licensed pursuant to article 167 of the education law; or

(iii) a developmental disability pursuant to section 1.03 of the mental hygiene law.

§ 2. This act shall take effect January 1, 2024 and shall expire and be deemed repealed August 1, 2025.