

STATE OF NEW YORK

2503

2023-2024 Regular Sessions

IN SENATE

January 20, 2023

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to establishing a co-navigation services program for persons who are deaf-blind

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

1 Section 1. The social services law is amended by adding a new section
2 152-d to read as follows:

3 § 152-d. Co-navigation services program for persons who are deaf-
4 blind. 1. As used in this section, the following terms shall have the
5 following meanings:

6 (a) "Communication mode" includes communication through:

7 (i) auditory amplification, such as through a personal hearing aid or
8 assistive listening device;

9 (ii) American Sign Language or Signed English by both tactile and
10 visual means; and

11 (iii) protactile language.

12 (b) "Co-navigation services" means services provided to a person who
13 is deaf-blind that assist the person to physically access the person's
14 environment and to make informed decisions. The term includes providing
15 visual and environmental information or sighted guide services and
16 assisting with communication accessibility by communicating in the
17 preferred language and communication mode of the person who is deaf-
18 blind. The term does not include performing any of the following for the
19 person:

20 (i) providing personal care services to the person;

21 (ii) completing ordinary errands for the person;

22 (iii) making decisions for the person;

23 (iv) teaching or otherwise instructing the person; or

24 (v) interpreting for the person in a formal setting, including a
25 medical, legal, or business setting.

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

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1 (c) "Co-navigator" means a person who is specially trained to provide
2 co-navigation services.

3 (d) "Program" means the deaf-blind co-navigation services program.

4 (e) "Protactile language" means a method of communication based on
5 touch that is used by persons who are deaf-blind.

6 2. Notwithstanding any inconsistent provision of law, a social
7 services district shall, in accordance with the provisions of this
8 section and regulations of the department, offer and provide a co-navi-
9 gation services program through which:

10 (a) co-navigation services are provided by co-navigators; and

11 (b) the social services district reimburses the co-navigators for the
12 provision of the services from funds appropriated therefor.

13 3. The commissioner shall establish reimbursement rates to be paid to
14 a co-navigator under the program. The reimbursement rates shall use a
15 tiered wage scale that is based on the co-navigator's:

16 (a) level of training in communication modes for persons who are deaf-
17 blind and in sighted guide-mobility techniques; and

18 (b) fluency and skill in communication modes and sighted guide-mobili-
19 ty for persons who are deaf-blind.

20 4. A social services district shall ensure that quality co-navigation
21 services are provided under the program by:

22 (a) monitoring the compliance of co-navigators with program rules;

23 (b) developing funding sources for the program that are in addition to
24 state sources and will reduce reliance on the state sources for contin-
25 uation of the program; and

26 (c) providing funding and technical assistance for training programs
27 for:

28 (i) co-navigators under the program; and

29 (ii) persons who are deaf-blind to enable those persons to effectively
30 use the services offered under the program.

31 5. The commissioner may establish an advisory committee to advise the
32 commission in developing and operating the program, including operating
33 the program in a manner that ensures the efficient use of state money.
34 The commissioner shall determine the number of members serving on the
35 advisory committee, which shall include persons who are deaf-blind and
36 other stakeholders.

37 6. The commissioner shall promulgate all rules and regulations neces-
38 sary to:

39 (a) operate the program in a manner that is efficient and maximizes
40 the number of persons served; and

41 (b) ensure that co-navigators receiving reimbursement under the
42 program have adequate training to provide co-navigation services.

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