

# STATE OF NEW YORK

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3105

2023-2024 Regular Sessions

## IN SENATE

January 27, 2023

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Introduced by Sen. MANNION -- read twice and ordered printed, and when printed to be committed to the Committee on Disabilities

AN ACT relating to assessing the staffing and other issues causing the continued displacement of individuals with developmental disabilities from various state-operated institutions under the jurisdiction of the office for people with developmental disabilities

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

1 Section 1. Legislative intent. The legislature finds and declares that  
2 the continued displacement of individuals with disabilities caused by  
3 the closure or suspension of services at various state-operated insti-  
4 tutions due to staffing and other issues must be assessed and remedied.  
5 The legislature further finds that in order to assess these ongoing  
6 staffing issues, the commissioner of the office for people with develop-  
7 mental disabilities shall submit a report to the governor, the temporary  
8 president of the senate, and the speaker of the assembly on or before  
9 December 31, 2023 detailing the number and nature of state-operated  
10 residential facilities serving individuals with developmental disabili-  
11 ties, a census of staff delivering services at state-operated facilities  
12 to individuals with developmental disabilities and the hiring of new  
13 staff at state-operated residential facilities.

14 § 2. Such report shall include, but not be limited to, the following  
15 information:

16 1. the total number of full-time equivalent staff by position or title  
17 for the office for people with developmental disabilities as of April 1,  
18 2023;

19 2. the 2023-2024 fiscal year full-time equivalent budgeted staffing  
20 level by position or title for the office for people with developmental  
21 disabilities as of April 1, 2023;

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

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1 3. the number of full-time equivalent staff that separated from  
2 service between April 1, 2023 and December 1, 2023, including a break-  
3 down of each staff member's job title and job location;

4 4. the number of staff hired from April 1, 2023 to December 1, 2023,  
5 including a breakdown of each staff member's job title and job location;

6 5. the number of unfilled and vacant positions as of December 1, 2023  
7 at each state-operated facility;

8 6. the number of full-time equivalent staff as of December 1, 2023;

9 7. the steps taken by the office for people with developmental disa-  
10 bilities to recruit staff for new and vacant positions;

11 8. a list of state-operated residential facilities operated by the  
12 office for people with developmental disabilities detailing which facil-  
13 ities are owned or leased, and the lease end date, if any. Such list  
14 shall include whether such facilities are operational, have suspended  
15 services or have been closed and the proposed date at which any facili-  
16 ties that have suspended services or have been closed are projected to  
17 be re-opened to serve individuals with developmental disabilities;

18 9. the number of eligible clients with developmental disabilities  
19 currently on a waiting list to receive care; and

20 10. any other information the commissioner of the office for people  
21 with developmental disabilities deems necessary and appropriate for the  
22 legislature to assess the ability of the office for people with develop-  
23 mental disabilities to deliver needed services to individuals with  
24 developmental disabilities or to reduce the number of individuals with  
25 developmental disabilities awaiting placement for services in a state-  
26 operated residential facility.

27 § 3. Such report shall be posted for public inspection on the office  
28 for people with developmental disabilities' website.

29 § 4. This act shall take effect immediately.