

# STATE OF NEW YORK

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5268--A

2023-2024 Regular Sessions

## IN ASSEMBLY

March 7, 2023

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Introduced by M. of A. SEAWRIGHT, BURDICK, LUNSFORD, McDONALD, GUNTHER, ALVAREZ, McMAHON, DARLING, ZINERMAN, SHIMSKY, SANTABARBARA, LEVENBERG, LUPARDO, JACOBSON, L. ROSENTHAL, SIMONE, J. A. GIGLIO, SOLAGES, GONZALEZ-ROJAS, BUTTENSCHON, SILLITTI -- Multi-Sponsored by -- M. of A. SIMON -- read once and referred to the Committee on People with Disabilities -- reported and referred to the Committee on Ways and Means -- recommitted to the Committee on Ways and Means in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT relating to establishing a direct support wage enhancement to employees that provide direct care support or any other form of treatment, to individuals with developmental disabilities

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

- 1 Section 1. Direct support wage enhancement. 1. Notwithstanding any  
2 other inconsistent provision of law, effective April 1, 2024, providers  
3 licensed, funded, approved and/or certified by the office for people  
4 with developmental disabilities to provide treatment, services and care  
5 for individuals with developmental disabilities shall receive supple-  
6 mental funding to enhance wages of employees that provide direct care  
7 support or any other form of treatment, to individuals with develop-  
8 mental disabilities and whose income is less than one hundred twenty-  
9 five thousand dollars.
- 10 2. The commissioner of the office for people with developmental disa-  
11 bilities, in consultation with the division of the budget, shall estab-  
12 lish a list of eligible employee titles for such wage enhancement based  
13 on the application of direct care to individuals with intellectual  
14 and/or developmental disabilities.
- 15 3. Using the forms and processes developed by the commissioner of the  
16 office for people with developmental disabilities under this section,

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

LBD08578-03-4

1 employers shall indicate the number of eligible employees based on the  
2 list of eligible titles pursuant to subdivision two of this section.  
3 4. The commissioner of the office for people with developmental disa-  
4 bilities shall distribute an allocation to each eligible provider equiv-  
5 alent to four thousand dollars per eligible employee based on the forms  
6 developed pursuant to subdivision three of this section.  
7 5. The funds distributed pursuant to this section must be used to  
8 enhance base wages and benefits of eligible employees.  
9 § 2. This act shall take effect April 1, 2024.