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:

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

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

(a) "Communication mode" includes communication through:

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

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

(iii) protactile language.

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

(i) providing personal care services to the person;

(ii) completing ordinary errands for the person;

(iii) making decisions for the person;

(iv) teaching or otherwise instructing the person; or

(v) interpreting for the person in a formal setting, including a 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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(c) "Co-navigator" means a person who is specially trained to provide co-navigation services.

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

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

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

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

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

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

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

(b) fluency and skill in communication modes and sighted guide-mobility for persons who are deaf-blind.

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

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

(b) developing funding sources for the program that are in addition to state sources and will reduce reliance on the state sources for continuation of the program; and

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

(i) co-navigators under the program; and

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

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

6. The commissioner shall promulgate all rules and regulations necessary to:

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

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

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.