

# STATE OF NEW YORK

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3118

2023-2024 Regular Sessions

## IN SENATE

January 27, 2023

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

AN ACT to amend the mental hygiene law, in relation to requiring the  
office for people with developmental disabilities to create a staffing  
plan for workforce emergencies when experiencing staffing shortages

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

1 Section 1. Section 13.17 of the mental hygiene law is amended by  
2 adding a new subdivision (e) to read as follows:

3 (e) The commissioner shall establish an emergency staffing plan for  
4 state operated facilities in each region. Such emergency staffing plan  
5 shall include incentivizing the current workforce through enhanced over-  
6 time pay, actions to improve staffing that minimize the transfer of  
7 individuals from their residences and movement of staff between resi-  
8 dences, and enhanced recruitment initiatives. The emergency staffing  
9 plan shall be in effect when any region's fill level is less than ninety  
10 percent. The emergency staffing plan shall be made publicly available  
11 and shall be published on the office's website.

12 § 2. This act shall take effect on the one hundred twentieth day after  
13 it shall have become a law.

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

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