STATE OF NEW YORK

999--A

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. CLARK, HEVESI, LUPARDO, GLICK, SIMON, LUNSFORD, SIMONE, KELLES, MEEKS, BURDICK, BENDETT, JENSEN, SANTABARBARA, SEAWRIGHT, SEMPOLINSKI -- read once and referred to the Committee on People with Disabilities -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to adding fetal alcohol spectrum disorders to the definition of developmental disability

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

Section 1. Subparagraph 1 of paragraph (a) of subdivision 22 of section 1.03 of the mental hygiene law, as amended by chapter 114 of the laws of 2017, is amended to read as follows:

(1) **(i)** is attributable to intellectual disability, cerebral palsy, epilepsy, neurological impairment, familial dysautonomia, Prader-Willi syndrome or autism; **or (ii) is attributable to fetal alcohol spectrum disorders (FASD) including fetal alcohol syndrome (FAS), partial fetal alcohol syndrome (pFAS), and alcohol-related neurodevelopmental disorder (ARND), provided, however, that for the purposes of this section, persons so considered under this clause shall:**

(A) be over the age of seven years;

(B) have an FASD qualifying diagnosis by a provider;

(C) have an onset of such condition, disorder, or syndrome prior to the age of twenty-two;

(D) exhibit a likelihood of indefinite continuation of such condition, disorder, or syndrome; and

(E) such diagnosis must have a substantial impact on the person's ability to complete activities of daily living;

§ 2. This act shall take effect twenty-four months after it shall have become a law.

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

LBD01248-02-5