

A07332 Summary:

BILL NO A07332

SAME AS SAME AS

SPONSOR Lupardo

COSPNSR Crouch, Gottfried, Brindisi, Santabarbara, Blake, Englebright, Davila, Mosley, Galef, Simon, Barron, Arroyo, Montesano, Duprey, Nojay, Kearns, Raia, Walter, Schimel, Linares, Barrett, Hooper, Fahy

MLTSPNSR Abbate, Brennan, Hawley, Lentol, Lupinacci, Magee, McDonald, McDonough, McLaughlin, Saladino, Walker

Amd S13.17, Ment Hyg L

Provides for the continuity of care to persons with developmental disabilities upon diminution of state operated services to such persons.

A07332 Text:**STATE OF NEW YORK**

7332

2015-2016 Regular Sessions

IN ASSEMBLY

May 6, 2015

Introduced by M. of A. LUPARDO, CROUCH, GOTTFRIED, BRINDISI, SANTABARBARA, BLAKE, ENGLEBRIGHT, DAVILA, MOSLEY, GALEF, SIMON, BARRON, ARROYO, MONTESANO, DUPREY, NOJAY, KEARNS, RAIA, WALTER -- Multi-Sponsored by -- M. of A. ABBATE, BROOK-KRASNY, HAWLEY, LENTOL, LUPINACCI, MAGEE, McDONALD, McDONOUGH, McLAUGHLIN, WALKER -- read once and referred to the Committee on Mental Health

AN ACT to amend the mental hygiene law, in relation to providing state operated opportunities 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. Section 13.17 of the mental hygiene law is amended by
 2 adding a new subdivision (d) to read as follows:
 3 (d) 1. The commissioner shall ensure for continuity of care for indi-
 4 viduals with a developmental disability transitioning to less restric-
 5 tive settings pursuant to any closure, consolidation, merger or any
 6 other action that diminishes current state operated services. The
 7 commissioner shall ensure that individuals with a developmental disabil-
 8 ity so affected are given the option of transitioning to state operated
 9 services within the developmentally disabled service offices region

10 where they are currently receiving services. If no such state service as
11 requested by the individuals with a developmental disability or their
12 parent, guardian or advocate are available then such individual shall
13 remain in the facility or residence until said services are available.
14 The commissioner shall document each offer of state operated opportu-
15 nities and shall retain a record of the services offered.
16 2. In the event no services desired by the individuals that are devel-
17 opmentally disabled are either available or exist within current state
18 operated services, the office shall record the name, parent, guardian or
19 advocate and services they are seeking. The commissioner shall develop a
20 record of services for state operated supportive placement options that
21 are not available with a plan to address the unmet needs for the follow-

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

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1 ing fiscal year. Such commissioner shall submit the plan to the tempo-
2 rary president of the senate and the speaker of the assembly no later
3 than December thirty-first of each year.
4 § 2. This act shall take effect immediately.