

**S5497** SERINO Same as [A 7554](#) Jaffee (MS)

ON FILE: 05/18/15 Public Health Law

TITLE....Directs the commissioner of health to collect and report data on the early intervention program for infants and toddlers with disabilities for the purpose of improving such program

05/14/15 REFERRED TO HEALTH

05/28/15 1ST REPORT CAL.1069

06/01/15 2ND REPORT CAL.

06/02/15 ADVANCED TO THIRD READING

06/09/15 PASSED SENATE

06/09/15 DELIVERED TO ASSEMBLY

06/09/15 referred to ways and means

06/15/15 substituted for a7554

06/15/15 ordered to third reading rules cal.286

06/15/15 passed assembly

06/15/15 returned to senate

11/10/15 DELIVERED TO GOVERNOR

11/20/15 VETOED MEMO.270

---

## VETO MESSAGE - No. 270

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

Senate Bill Number 5497, entitled:

"AN ACT to amend the public health law, in relation to directing the commissioner of health to collect data on the early intervention program for infants and toddlers with disabilities"

NOT APPROVED

This bill requires the Department of Health (DOH) to collect additional data on the Early Intervention (EI) Program and report it annually to the Legislature. However, DOH already reports on a robust number of EI metrics to government entities and stakeholder groups that overlap substantially with the proposed requirements set forth in the bill.

For example, DOH's Bureau of Early Intervention already prepares and submits annual EI reports to the U.S. Department of Education and the Office of Special Education Programs (OSEP). Specifically, OSEP requires DOH to analyze and publish local program data, including the number and percent of children served by the State's EI program. DOH also submits an annual State Performance Plan/Annual Performance Report that provides numerous compliance and results indicators addressing State EI performance. Separately, DOH is finalizing a report on EI service delivery capacity at the state and county level which includes eight separate measures identifying the availability of EI services.

DOH also provides quarterly reports on the timeliness of provider payments and reimbursement by third party payers to the State's Early Intervention Coordinating Council (EICC), which includes members of the Legislature. The Department's State Fiscal Agent (SFA) now manages all claims submitted by municipalities to third party payers, and also routinely reports to the EICC and its stakeholder Steering Committee.

For these reasons, I am therefore compelled to disapprove the bill. Nonetheless, I am directing DOH's Bureau of Early Intervention to work with the Legislature and interested stakeholders to determine if there are metrics for which additional reporting would be useful, and if so, to develop methods to best report on those metrics.

The bill is disapproved.

(signed) ANDREW M. CUOMO

---