



NEW YORK STATE SENATOR

Andrea Stewart-Cousins

Senate Democratic Majority Expands Protections For New Yorkers with Disabilities

ANDREA STEWART-COUSINS May 29, 2019

| ISSUE: **PEOPLE WITH DISABILITIES**

(Albany, NY) The Senate Democratic Majority today will pass legislation that will help protect New Yorkers with disabilities. The bills being passed by the Senate Majority includes legislation that will create an advocacy office for New Yorkers living with disabilities and expand Medicaid coverage for applied behavior analysis services for people who have autism spectrum disorder. Additionally, these bills will also provide housing protections for New Yorkers with disabilities living with therapy animals and allow tenants with disabilities to terminate their leases to move into housing that is more appropriate.

“New Yorkers living with disabilities are some of our most vulnerable community members and we have a responsibility to protect their rights,” Senate Majority Leader Andrea Stewart-Cousins said. “The bills advanced by the Senate Majority continue our commitment to protecting all New Yorkers and ensuring their state government works to improve their lives. I thank the bill sponsors for their leadership on this critical issue and for their common sense solutions to improve the quality of life for New Yorkers with disabilities.”

The package of legislation being advanced by the Senate Majority includes:

- **Housing Provisions For Therapy Animals:** This bill, S.2705, introduced by Senator Tim Kennedy, codifies outlying portions of the federal Fair Housing Act into New York State law to afford more complete, explicit protections on not only persons with disabilities, but particularly veterans suffering from PTSD.
- **Accessible Electronic Information Act:** This bill, S.3599, introduced by Senator Kevin Parker, enacts the accessible electronic information act for blind and disabled persons by creating a new fund in the state finance law and authorizes a not-for-profit entity to administer the program.
- **Safeguarding Cash Accounts:** This bill, S.1672A, sponsored by Senator John Brooks, establishes a uniform set of procedures and guidelines for the management of cash accounts for residents who live in individualized residential alternatives. Under this legislation, OPWDD will be required to implement the recommendations made in the Inspector General Report in order to better safeguard OPWDD residents' personal allowance accounts.
- **Study on Potential Debit Card Usage in Residential Facilities:** This bill, S.5538, sponsored by Senator John Brooks, will direct the commissioner of the Office for People with Development Disabilities (OPWDD) to conduct a study on the viability of providing debit cards to individuals in licensed residential facilities.
- **Closed Captioning on Public Televisions:** This bill, S.1650, sponsored by Senator James Skoufis, will require, upon request, places of public accommodations to enable closed captioning on televisions in public areas.
- **Accessibility to Public Services with OPWDD:** This bill, S.5347, sponsored by Senator David Carlucci, will make information on services offered by the Office for People with Development Disabilities (OPWDD) and the process of receiving these services available on

the office website.

- **Advocacy Office for People with Disabilities:** This bill, S.1674, introduced by Senator James Skoufis, creates an office that will function as an advocate for the rights of people with disabilities to help receive services and support that enable them to make informed choices and decisions.
- **Ability to Terminate Lease:** This bill, S.3891, introduced by Senator Luis Sepulveda, amends the real property law to allow those with disabilities to terminate their lease to move into housing that better suits their needs.
- **Expands Medicaid Coverage to Behavioral Analysis:** This bill, S.1821, introduced by Senator Gustavo Rivera, creates health care coverage for New Yorkers who rely on Medicaid to receive coverage for behavior analysis for the treatment of autism spectrum disorder.

Bill Sponsor, Senator John E. Brooks said, “It is a shameful thing to prey on the disabled who are susceptible to fraud and abuse in their financial well-being. There have been far too many instances of this vulnerable population being scammed out of their OPWDD personal allowance allotments by inside operators acting with little or no oversight. This legislation is designed to protect those who need safeguards from predators by creating a strict set of guidelines and managerial review procedures which would ensure safe financial independence to people at risk.”

Bill Sponsor, Senator David Carlucci said, “The Office for People with Developmental Disabilities is tasked with supporting thousands of people. I sponsor legislation to ensure that their website clearly explains their services and how people qualify for them. Whether it’s information on employment or housing, we want to make sure it's a click away. By

increasing accessibility for our most vulnerable populations, we can improve their quality of life.”

Bill Sponsor, Senator Tim Kennedy said, “Our veterans served our country with the utmost bravery, and when they have finally returned home, many therapy and service dogs and cats offer the support they need to truly re-engage in civilian life. It is our duty to protect the rights of our servicemen and women, as they have protected us, and ensure that they are safely and adequately housed when they return from overseas. It is outrageous and unacceptable for a landlord to discriminate against any individual simply for seeking the therapy they need and deserve. By bringing state law in line with federal law, we’re fighting to protect the rights of our veterans and individuals with disabilities, and ensuring that landlords who violate these rights are prosecuted to the fullest extent of the law.”

Bill Sponsor, Senator Kevin Parker said, “As the internet continues to be the number way to access information it is time that we expand access for those who may have a disability. My Senate Bill S.3599 will work to create funding for programs that will make electronic information accessible for blind and visually- disabled persons. It is our job as State legislators to create laws that work to improve the quality of life for those within our districts and throughout New York State.”

Bill sponsor, Senator Gustavo Rivera said, “This legislative package demonstrates our commitment to empowering New Yorkers living with disabilities by providing them the resources and services they need to thrive. I am very proud that this package included my bill to expand Medicaid coverage to include applied behavior analysis for the treatment of autism spectrum disorder in order to ensure New Yorkers dealing with this particular disorder receive adequate care and remain independent.”

Bill Sponsor, Senator James Skoufis said, “Our disability rights package of legislation will touch the lives of and level the playing field for thousands of New Yorkers. Long overdue, we must re-open an agency-level advocacy office for the rights of people with disabilities so that people with physical hardships receive the services and support that enable them to make informed choices. I’ve long been advocating for this office since my time in the Assembly as it’s imperative that these individuals have somewhere in state government to go for assistance. A second bill will ensure that hearing impaired New Yorkers will be accommodated in public places, and upon request will receive closed-captioned television. I proudly stand with my Senate colleagues in passing this package of legislation that delivers respect and access for people with physical disabilities in our state.”

Bill sponsor, Senator Luis Sepulveda said, “Protecting people with disabilities is one of our main priorities, with this legislation, they will be able to terminate their lease if they have chosen to move to a residence of a family member or enter certain facilities. Too often, people with disabilities are forced to stay in unsuitable housing due to a continuing lease. We must take action and safeguard their well-being.”

RELATED LEGISLATION

2019-S2705

- Introduced
- - In Committee Assembly
 - In Committee Senate

- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Relates to therapy dogs and cats for persons with a disability

January 29, 2019

In Assembly Committee

Sponsored by Timothy M. Kennedy

Do you support this bill?

2019-S3599

- Introduced
- ◦ In Committee Assembly
 - In Committee Senate

- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate
- ◦ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Enacts the accessible electronic information act

February 11, 2019

In Senate Committee **Finance**

Sponsored by **Kevin S. Parker**

Do you support this bill?

2019-S1672A

- Introduced
- ◦ In Committee Assembly
 - In Committee Senate

- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Safeguards cash accounts for people with developmental disabilities in a facility

January 15, 2019

In Assembly Committee

Sponsored by **John E. Brooks**

Do you support this bill?

2019-S5538

- Introduced
- ◦ In Committee Assembly
 - In Committee Senate

- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Relates to directing the commissioner of the office for people with developmental disabilities to conduct a study on debit card use

May 06, 2019

Signed by Governor

Sponsored by **John E. Brooks**

Do you support this bill?

2019-S1650

- Introduced
- ◦ In Committee Assembly
 - In Committee Senate

- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ○ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Requires places of public accommodation, resort or amusement that operate televisions during regular hours of operation to provide closed captioning on certain televisions upon request

January 15, 2019

Signed by Governor

Sponsored by James Skoufis

Do you support this bill?

2019-S5347

- Introduced
- ○ In Committee Assembly

- In Committee Senate
- ◦ On Floor Calendar Assembly
- On Floor Calendar Senate
- ◦ Passed Assembly
- Passed Senate
- Delivered to Governor
- Signed By Governor
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Makes available information regarding the process for individuals to obtain eligibility for services offered by the office for people with developmental disabilities

April 26, 2019

Senate Floor Calendar

Sponsored by **David Carlucci**

Do you support this bill?

2019-S1674

- Introduced
- ◦ In Committee Assembly

- In Committee Senate
- ◦ On Floor Calendar Assembly
- On Floor Calendar Senate
- ◦ Passed Assembly
- Passed Senate
- Vetoed By Governor
- Signed By Governor
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Establishes the office of the advocate for people with disabilities

January 15, 2019

Vetoed

Sponsored by James Skoufis

Do you support this bill?

2019-S3891

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- Introduced
 - ◦ In Committee Assembly
 - In Committee Senate
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- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Relates to individuals with disabilities being able to terminate their leases when moving to a residence of a family member or entering certain facilities

February 20, 2019

Senate Floor Calendar

Sponsored by **Luis R. Sepúlveda**

Do you support this bill?

2019-S1821

- Introduced
- ◦ In Committee Assembly
 - In Committee Senate

- ○ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ○ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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Relates to including applied behavioral analysis for treatment of autism spectrum disorder under standard coverage for Medicaid recipients

January 16, 2019

In Senate Committee **Health**

Sponsored by **Gustavo Rivera**

Do you support this bill?