

Annual Report 2023



New York State Senate Standing Committee on Disabilities

Senator John W. Mannion

Chair



Senator Andrea Stewart-Cousins
President Pro Tempore
NYS Senate Majority Leader

THE SENATE
STATE OF NEW YORK



SENATOR JOHN W. MANNION
50TH DISTRICT

CHAIR
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December 15, 2023

The Honorable Andrea Stewart-Cousins
Temporary President and Majority Leader
New York State Senate
Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate Standing Committee on Disabilities for the 2023 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction, such as improving the quality of life for individuals with physical, intellectual, and developmental disabilities. The Committee also serves a vital function in overseeing both the Office for People with Developmental Disabilities, known as "OPWDD," and the Justice Center for the Protection of People with Special Needs.

During the 2023 Session, this Committee met five times in Session and reported twenty-three bills. The Committee did not hold any hearings or roundtables this Legislative Session.

I thank my colleagues who served on the Committee for their efforts and support of the work that was done in the Committee this year, and I thank you for the continued support from the Majority Conference in the Committee's operations.

Sincerely,

A handwritten signature in black ink that reads "John W. Mannion". The signature is written in a cursive, flowing style.

John W. Mannion
New York State Senator
50th Senatorial District

2023 LEGISLATIVE SESSION REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON DISABILITIES

Senator John W. Mannion, Chairperson

COMMITTEE MEMBERS

Senator Simcha Felder
Senator Kristen Gonzalez
Senator Roxanne J. Persaud
Senator Jessica Scarcella-Spanton
Senator Bill Weber, Ranking Member
Senator Jacob C. Ashby

COMMITTEE STAFF

Noah K. Rohde, Committee Clerk
Jonathan Lang, Deputy Director, Majority Counsel & Program
Jorge Rivera, Assistant Deputy Counsel, Majority Counsel & Program
Jaime Salm, Policy Advisor, Majority Counsel & Program
Abisha Vijayashanthar, Associate Counsel, Majority Counsel & Program
Lekeya Martin, Deputy Secretary, Majority Finance
Donavan Borington, Director of Health & Public Protection, Majority Finance
Arianna Macio, Principal Analyst, Majority Finance
Manpreet Kaur, Budget Analyst, Majority Finance
Kelly Mendoza, Budget Analyst, Majority Finance

COMMITTEE JURISDICTION AND OVERVIEW

The New York State Senate Standing Committee on Disabilities has legislative oversight responsibilities for issues concerning individuals with physical, intellectual, and developmental disabilities.

During the 2023 Legislative Session, forty-seven bills were referred to the Committee for its review. Of these bills, twenty-three were reported from the Committee; fourteen were passed by the Senate; and four were passed in both houses. This work was conducted through a series of five Committee meetings. A list of all bills that were reported from the Committee is provided at the end of this report.

COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2023:

- **S1198 (Rivera)** – Passed Senate. This legislation would require the Commissioner of the Department of Health to review reimbursement adequacy for early intervention services. The early intervention (EI) program provides services for babies and toddlers who have developmental delays and disabilities. EI reimbursement rates have not been raised in approximately thirty years.
- **S1963A (Addabbo)** – Passed Senate. This legislation would require daycare facilities to maintain evacuation and lockdown plans for children with disabilities during an emergency situation. When a building lockdown or other emergency occurs, children are told to run and hide; however, students with disabilities may have difficulties complying with such commands.
- **S2494 (Mannion)** – Chapter 60 of the Laws of 2023. This law establishes three-year terms for appointments of members to the Autism Spectrum Disorders Advisory Board.
- **S3105 (Mannion)** – Passed Senate. This legislation would require OPWDD to produce and publish a report on staffing at state-operated institutions, including the number and nature of state-operated residential facilities serving individuals with developmental disabilities, an official record of staff delivering services, and the hiring of new staff at such institutions.
- **S3108 (Mannion)** – Reported from Committee. This legislation would establish an independent intellectual and developmental disability ombudsman program. A limited version of this program was established in the SFY 2023-2024 Budget along with a \$3 million appropriation.
- **S3118 (Mannion)** – Passed Senate. This legislation would require OPWDD to create a staffing plan for workforce emergencies when experiencing staffing shortages of ten percent or more in direct care and clinical staff in any region of the state.
- **S3196 (Mannion)** – Passed Senate. This legislation would create a housing navigation services program for individuals with disabilities. Appropriate housing is necessary for people to live stable, healthy lives. For individuals with disabilities, the right housing opportunity can lead to better overall well-being and success in all aspects of life.
- **S3313B (Skoufis)** – Chapter 370 of the Laws of 2023. This law replaces the terms “mentally retarded”, “mental retardation” and variations of these phrases with “developmentally disabled” and “developmental disability” in certain provisions of the Laws of New York.

TWO HOUSE BILLS

In 2023, four of the forty-seven bills referred to the Senate Standing Committee on Disabilities passed both houses of the Legislature. Of these bills, the Governor has signed four and vetoed zero.

Bill	Sponsor	Summary	Action
S2494	Mannion	Relates to the term limit of members of the Autism Spectrum Disorders Advisory Board	Chapter 60 of the Laws of 2023
S3313B	Skoufis	Replaces the terms “mentally retarded”, “mental retardation” and variants thereof with “developmentally disabled” and “developmental disability”	Chapter 370 of the Laws of 2023
S4521	Brouk	Relates to duty to report incidents	Chapter 391 of the Laws of 2023
S7094	Mannion	Relates to a state council on developmental disabilities	Chapter 368 of the Laws of the 2023

SUMMARY OF COMMITTEE ACTIVITY

Bill No.	Sponsor	Summary	Significant Action
S1198	Rivera	Relates to a review of reimbursement adequacy for early intervention services	Passed Senate
S1575	Brouk	Establishes a credentialing pilot program for direct support professionals	Reported from Committee
S1866	Brouk	Relates to adding fetal alcohol spectrum disorders to the definition of developmental disability	Referred to Committee
S1963A	Addabbo	Requires daycare facilities to maintain evacuation and lockdown plans for children with disabilities during an emergency situation	Passed Senate
S2315	Cleare	Names a certain state facility after Willie Mae “Goody” Goodman	Passed Senate
S2360	Mannion	Prohibits the withholding of state funding for service providers for people with developmental disabilities due to the receipt of certain COVID-19 federal funds	Reported from Committee
S2494	Mannion	Relates to the term limit of members of the Autism Spectrum Disorders Advisory Board	Chapter 60 of the Laws of 2023
S3105	Mannion	Requires OPWDD to produce and publish a report on staffing at state-operated institutions under the jurisdiction of such office	Passed Senate
S3108	Mannion	Establishes the independent intellectual and developmental disability ombudsman program	Reported from Committee
S3118	Mannion	Requires OPWDD to create a staffing plan for workforce emergencies when experiencing staffing shortages	Passed Senate
S3138	Mannion	Establishes a pilot program to create an assistance hotline for individuals with disabilities and complex behavioral needs	Reported from Committee
S3140	Mannion	Relates to the reimbursement of local services provided to persons with a disability	Reported from Committee
S3196	Mannion	Relates to housing navigation services for those with intellectual and developmental disabilities	Passed Senate

S3313B	Mannion	Replaces the terms “mentally retarded”, “mental retardation” and variants thereof with “developmentally disabled” and “developmental disability”	Chapter 370 of the Laws of 2023
S4127	Mannion	Establishes a direct support wage enhancement to employees that provide direct care support or any other form of treatment, to individuals with developmental disabilities	Reported from Committee
S4521	Brouk	Relates to duty to report incidents	Chapter 391 of the Laws of 2023
S4959	Jackson	Establishes a direct service professional credit and career ladder tuition assistance grant program	Reported from Committee
S5028A	Mannion	Relates to the creation of an innovative supportive housing program for persons with a developmental disability who wish and are able to safely live independently; creates an exemption from certain filings	Reported from Committee
S5668	Mannion	Establishes a direct support professional worker registry	Reported from Committee
S6433	Mannion	Safeguards cash accounts for people with developmental disabilities in a facility	Passed Senate
S7000	Mannion	Relates to the responsibility for certain temporary-resident preschool children with disabilities	Passed Senate
S7094	Mannion	Relates to a state council on developmental disabilities	Chapter 368 of the Laws of 2023
S7450	Mannion	Provides for the release of patient or client clinical records to correctional facilities or a public health authority	Passed Senate
S7465	Mannion	Relates to providing licensed facilities, provider agencies, and other providers of services a summary of final substantiated reports of category two conduct of an employee or volunteer	Passed Senate



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on Disabilities**