



New York State Senate Standing Committee on **Disabilities**

Senator John W. Mannion

Chair



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

ALBANY OFFICE
814 LEGISLATIVE OFFICE BUILDING
ALBANY, NEW YORK 12247
PHONE 518-455-3511

E-MAIL
mannion@nysenate.gov

**THE SENATE
STATE OF NEW YORK**



SENATOR JOHN W. MANNION
50TH DISTRICT

DISTRICT OFFICE
STATE OFFICE BUILDING – ROOM 800
333 EAST WASHINGTON STREET
SYRACUSE, NEW YORK 13202
PHONE 315-428-7632
FAX 315-472-4157

December 2022

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's Standing Committee on Disabilities for the 2022 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction, including efforts to improve quality of life for individuals with both physical disabilities and intellectual and developmental disabilities. The Committee also serves a vital function in overseeing both the Office for People with Developmental Disabilities (OPWDD) and the Justice Center.

During the 2022 session, this committee met six times and reported 29 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, especially Ranking Member Senator Martucci, 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 fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

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

2022 LEGISLATIVE SESSION REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON DISABILITIES

Senator John W. Mannion, Chairperson

COMMITTEE MEMBERS

Senator John E. Brooks
Senator Cordell Cleare
Senator Simcha Felder
Senator Roxanne J. Persaud
Senator Mike Martucci, Ranking Member
Senator Fred Akshar

COMMITTEE STAFF

Deanna Schneider, Senator Mannion's Office
Jonathan Lang, Majority Counsel & Program
Alexandrea Nuwer, Majority Counsel & Program
Lekeya Martin, Majority Finance
Anissa Martinez, 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 and developmental disabilities.

During the 2021 Legislative Session, 62 bills were referred to the Committee for its review. Of these bills, 29 were reported from the Committee. Of the bills originating in the Committee, 21 were passed by the Senate, and 13 passed in both houses. This work was conducted through a series of six 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 2022:

- **S2620 (Jackson)** – Passed Senate. This legislation directly addresses the workforce crisis by establishing a direct service professional credit and career ladder tuition assistance grant program. By creating new recruitment methods and providing additional pathways in this career, it will incentivize more individuals to join this important field.
- **S5676 (Rivera)** – Veto 74. This legislation would require the Department of Health to conduct a rate adequacy review of early intervention rates. Early intervention programs have struggled to maintain staff and remain open due to the low reimbursement rates.
- **S6195B (Persaud) & S6789A (Persaud)** – Chapter 477 and Chapter 479. This legislation removed insensitive and outdated language from the law.
- **S6300C (Mannion)** – Chapter 480. This legislation recognizes contributions to the community by individuals with disabilities by creating a public awareness program to reduce stigma.
- **S7107B (Mannion)** – Chapter 481. This legislation authorizes individuals with disabilities to enter into supported decision-making agreements to promote autonomy and self-determination.
- **S7548A (Harckham)** – Chapter 516. This legislation requires schools to notify parents within the same day when behavioral interventions are used with a student with disabilities.
- **S8054 (Mannion)** – Passed Senate. This legislation required OPWDD to establish a staffing plan for workforce shortages.
- **S8935 (Brisport)** – Passed Committee. This legislation prohibits the use of adverse conditioning on individuals with disabilities, such electric shock devices called Graduated Electronic Decelerators (GED).

TWO HOUSE BILLS

In 2022, 13 of the 62 bills referred to the Standing Committee on Disabilities passed both houses of the Legislature. Of these bills, the Governor has signed 8 and vetoed 4, while 1 bill remains on the Governor’s desk.

Bill	Sponsor	Summary	Action
S5676	Rivera	Relates to a review of reimbursement adequacy for early intervention services	Veto 74 of 2022
S6195B	Persaud	Replaces certain references to “mentally retarded” persons with the term “individuals with a developmental disability”	Chapter 477 of 2022
S6274B	Mannion	Establishes a pilot program to create an assistance hotline for individuals with intellectual and developmental disabilities and complex behavioral needs	Veto 56 of 2022
S6300C	Mannion	Establishes a public awareness campaign to combat the stigma and stereotyping of individuals with developmental disabilities	Chapter 480 of 2022
S6789A	Persaud	Replaces certain instances of the term mentally retarded or variations of such term with the term developmentally disabled or variations of such term	Chapter 479 of 2022
S7107B	Mannion	Relates to supported decision-making by people with intellectual, developmental, cognitive and psychosocial disabilities	Chapter 481 of 2022
S7377	Mayer	Establishes the statewide group home families working group	Veto 78 of 2022
S7548A	Harckham	Requires same-day notification of a parent or person in parental relation of a student with a disability where certain behavioral interventions are used	Chapter 516 of 2022
S7617	Mannion	Extends certain provisions relating to the closure or transfer of a state-operated individualized residential alternative	Chapter 176 of 2022
S8442	Mannion	Requires that applications submitted by individuals with developmental disabilities for eligibility determinations and service authorizations be processed in a timely manner	On the Governor’s Desk

S8647	Mannion	Includes additional self-advocates on the autism spectrum disorders advisory board	Chapter 453 of 2022
S9086	Mannion	Requires the office for people with developmental disabilities to produce and publish a report on staffing at state-operated institutions under the jurisdiction of such office	Veto 83 from 2022
S9335	Brouk	Relates to the residency requirement for designated beneficiaries of the ABLE program	Chapter 478 from 2022

SUMMARY OF COMMITTEE ACTIVITY

Bill No.	Sponsor	Summary	Significant Action
S1273A	Brooks	Safeguards cash accounts for people with developmental disabilities in a facility	Passed Senate Only
S1930	Jackson	Relates to language equality and acquisition for deaf children	Reported from Committee
S2620	Jackson	Establishes a direct service professional credit and career ladder tuition assistance grant program	Passed Senate Only
S3410	Brouk	Relates to the duty to report incidents	Reported from Committee
S3788	Comrie	Requires the reimbursement of certain novel coronavirus, COVID-19 costs and expenses	Reported from Committee
S4346	Brouk	Establishes a credentialing pilot program for direct support professionals	Reported from Committee
S4468A	Mannion	Relates to the reimbursement of local services provided to persons with a disability	Reported from Committee
S4469A	Mannion	Relates to housing navigation services for those with intellectual and developmental disabilities	Passed Senate Only
S5676	Rivera	Relates to a review of reimbursement adequacy for early intervention services	Veto 74 of 2022
S6274B	Mannion	Establishes a pilot program to create an assistance hotline for individuals with intellectual and developmental disabilities and complex behavioral needs	Veto 56 of 2022
S6295	Mannion	Requires OPWDD to purchase and provide essential PPE to all mental health providers in the event of a declaration of a state emergency that relates to public health	Reported from Committee
S6300C	Mannion	Establishes a public awareness campaign to combat the stigma and stereotyping of individuals with developmental disabilities	Chapter 480 of 2022
S6793	Kaminsky	Replaces the terms “mentally retarded”, “mental retardation” and variants thereof with “intellectually disabled” and “intellectual disability”	Passed Senate Only

S6862	Mannion	Relates to the term limit of members of the autism spectrum disorders advisory board	Reported from Committee
S7106A	Mannion	Requires certain entities to check the justice center's register of substantiated category one cases of abuse or neglect	Passed Senate Only
S7107B	Mannion	Relates to supported decision-making by people with intellectual, developmental, cognitive and psychosocial disabilities	Chapter 481 of 2022
S7414	Stec	Grants a waiver to Adirondack Helping Hands for the 2016--2017 school year	Reported from Committee
S7548A	Harckham	Requires same-day notification of a parent or person in parental relation of a student with a disability where certain behavioral interventions are used	Chapter 516 of 2022
S7617	Mannion	Extends certain provisions relating to the closure or transfer of a state-operated individualized residential alternative	Chapter 176 of 2022
S7907	Mannion	Permits certain previous criminal history information provided to satisfy criminal background checks for certain employees	Reported from Committee
S8054	Mannion	Requires the office for people with developmental disabilities to create a staffing plan for workforce emergencies when experiencing staffing shortages	Passed Senate Only
S8208	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
S8314	Mannion	Authorizes certain institutions for instruction of the deaf and blind to retain funds in excess of their allowable and reimbursable costs incurred for services and programs to students appointed	Passed Senate Only
S8326	Mannion	Establishes the independent developmental disability ombudsman program	Passed Senate Only
S8442	Mannion	Requires that applications submitted by individuals with developmental disabilities for eligibility determinations and service authorizations be processed in a timely manner	On the Governor's Desk
S8521A	Mannion	Relates to the creation of an innovative supportive housing program for persons with a developmental disability who wish and are able to safely reside in such a setting; creates an exemption from certain filings	Reported from Committee

S8620	Addabbo	Relates to the appointment of impartial hearing officers to hear appeals of determinations regarding children with handicapping	Reported from Committee
S8647	Mannion	Includes additional self-advocates on the autism spectrum disorders advisory board	Chapter 453 of 2022
S8935	Brisport	Prohibits the use of aversive conditioning and other certain punishments	Reported from Committee



Annual Report 2022

New York State Senate Standing Committee on **Disabilities**