



NEW YORK STATE SENATE DEMOCRATIC MAJORITY

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Senate Majority Passes Disability Protections Package

(Albany, NY) The Senate Democratic Majority today advanced legislation to protect the disabled community, strengthen and streamline resources, and correct historical tropes that are both harmful and inaccurate. The proposed bills would legally recognize Supported Decision Making Agreements, eliminate derogatory language from the Social Services Law, combat stereotyping and discrimination, improve provisions for those in individualized education programs, and require same-day notifications to guardians if behavioral interventions are used. Additionally, they would enhance accessibility protocols for websites and require all civil service employment opportunities and related materials to be posted on publicly accessible websites.

Senate Majority Leader Andrea Stewart-Cousins said, “Protecting our loved ones with disabilities is crucial for their safety and well-being. This set of bills will help them thrive in our community and provide the tools they need to be more independent and successful in their day-to-day lives. I am proud of the Senate Majority’s work to provide more rights and resources for disabled New Yorkers. I want to thank the Chair of the Disabilities Committee, Senator John Mannion, and the bill sponsors for their advocacy.”

Chair of the Committee on Disabilities, Senator John Mannion, said, “As Chairman of the Disabilities Committee, strengthening quality of life and the services available to people with disabilities is my highest priority. My bills ensure people with disabilities can have autonomy over their lives while receiving the support they need to be full members of the community. My legislation combats stigma, makes the state’s websites more accessible, and provides firm timelines for eligibility determinations. I am grateful to Majority Leader Andrea Stewart-Cousins for creating and valuing the Disabilities Committee and to my Senate colleagues for sharing my commitment to making our state a leader in supporting residents with disabilities.”

The legislation being passed by the Senate Majority includes:

- **Supported Decision-Making:** This bill, S.7107-B, sponsored by Senator John Mannion, would add a new article to the Mental Hygiene Law, legally recognizing Supported Decision-Making Agreements allowing for decision-making support to be formalized by individuals in need of assistance in making decisions for themselves. This bill will promote self-autonomy and self-determination for people with disabilities as a less restrictive alternative to guardianship.
- **Early Intervention Program:** This bill, S.5676, sponsored by Senator Gustavo Rivera, requires the Department of Health to conduct a rate adequacy review and submit a report on the findings and recommendations within one year. The review must include an assessment of the existing payment methodologies and levels, recommendations for maintaining or changing the

methodologies, the projected number of children who will need early intervention services over the next five years, and the workforce needed to provide services to all of those children.

- **Individuals With A Developmental Disability:** This bill, S.6195-B, sponsored by Senator Roxanne Persaud, modernizes various sections of the Social Services Law to eliminate derogatory language referring to people living with intellectual or developmental disabilities. It will replace instances of the term "mentally retarded" with the term "individuals with developmental disabilities."
- **One Hundred-Twenty Day Application Completion:** This bill, S.8442, sponsored by Senator John Mannion, ensures that applications for eligibility determinations and service authorizations are processed in a timely manner. Specifically, except in a case where the application is not reasonably clear, omits required information, or when there is a reasonable basis supported by specific information available for review by the office that such application was submitted fraudulently. The office must complete the application within 120 days of receipt of such applications transmitted via the internet or email.
- **Disability Educational Awareness Program:** This bill, S.6300-C, sponsored by Senator John Mannion, will establish a public awareness program that combats the discrimination, stigma, and stereotyping individuals with intellectual and developmental disabilities in New York.
- **Continuing Individualized Education Program:** This bill, S.7866-A, sponsored by Senator Pete Harckham, will allow students enrolled in an individualized education program during certain school years may continue to receive educational services until the student completes the services pursuant to the individualized education program or turns 23, whichever is sooner.
- **Parental Same-Day Notification:** This bill, S.7548-A, sponsored by Senator Pete 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.
- **Electronic Formats For College Students With Disabilities:** This bill, S.8945, sponsored by Senator Toby Ann Stavisky, extends the law that provides college students with disabilities with electronic formats of printed instructional materials.
- **Civil Service Employment Accessibility:** This bill, S.7662-A, sponsored by Senator Brad Hoylman, enhances access to employment opportunities in the civil service by requiring open positions, examination announcements, and application instructions be posted on a publicly accessible website maintained by the department of civil service.
- **Accessible Websites By State Agencies:** This bill, S.7912, sponsored by Senator John Mannion, would codify the requirement for the Office of Information and Technology Services to develop a protocol for state agencies and entities to maintain accessible websites.

Bill sponsor Senator Pete Harckham said, "For too long, many residents with intellectual and developmental disabilities have been underserved when it comes to educational programs or workforce initiatives, a shortcoming that was exacerbated by the pandemic. These 10 new bills, including two that I introduced, recognize a community whose diverse members need proper support, as well as safeguarding when necessary."

Bill sponsor Senator Roxanne Persaud said, "For too long, New York's Social Services Law has contained outdated and offensive terminology referring to people with intellectual and developmental disabilities. S. 6195 is the first in a series of bills to codify people-first language and eliminate the "r" word that society began to stop using decades ago. I thank Leader Stewart-Cousins for bringing this bill to the floor again this year and I look forward to our continued work to affirm the dignity of New Yorkers with disabilities."

Bill sponsor Senator Gustavo Rivera said, "Early childhood intervention is a critical tool in both identifying developmental disabilities in kids, and formulating treatment options that will change the course of their lives. Skyrocketing reimbursement rates have diminished providers and left low-income

communities with fewer places to turn. With treatment as time-sensitive as this, waiting isn't an option. My bill would examine reimbursement rates and projected demand so we can better serve New York families and set our kids up for a lifetime of success. I want to thank Leader Stewart-Cousins for bringing this bill to the floor, and the conference for supporting our IDD community with this important package."

Bill sponsor Senator Toby Ann Stavisky said, "All students in New York State must have an equal opportunity to continue their academic pursuits. Extending the law that provides college students with disabilities electronic textbooks helps ensure they have the same access as their peers. I thank Senator Stewart-Cousins and my colleagues in the Senate Majority for helping pass this important legislation."

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