



Committee on Mental Health and Developmental Disabilities

Fall 2016 Newsletter

Carl E. Heastie, Speaker • Aileen M. Gunther, Chair

Message from the Chair

Dear Friends,

I am pleased to share news from the New York State Assembly Standing Committee on Mental Health and Developmental Disabilities. The Committee makes every effort to assist and positively impact the lives of people with disabilities and their families. As chair of the Committee, I will continue to advocate for communities and families across the state by supporting programs that meet the unique needs of people with developmental disabilities and mental illness. We must also continue to closely monitor the transition of supports and services from an institutional treatment model to a less restrictive, community-based treatment model in order to ensure each individual receiving care has sufficient means to live a healthy, productive, and independent life.

This session proved to be challenging, but successful. Due to the diligent efforts of the Committee, we were able to ensure that the state plan for transitioning behavioral health care and developmental disability services into managed care will continue to include transparency of information and input from service providers, as well as service recipients and their families.

The accomplishments of the Committee would not be possible without the support of so many individuals, advocacy groups, and service providers across New York State. I am confident that together, we will continue to improve the lives of all New Yorkers affected by mental illness or developmental disability. I will continue to work to ensure that every person in need is given the resources he or she needs to live a happy and successful life.

Sincerely,

Aileen M. Gunther, Chair

Chairwoman of the Assembly Committee on Mental Health, Aileen Gunther (front center) is joined by mental health advocates and Chief Executive Officer of the Mental Health Association in New York State (MHANYS), Glenn Liebman (back center) to advocate for an increase in funding resources that would help to ensure sufficient capacity for mental health supports and services across the state.



Significant Legislation

1. **A.1459 (Cusick) – Passed by the Assembly.**

This bill would ensure adequate legal representation for individuals diagnosed with a serious mental illness by authorizing Mental Hygiene Legal Services to provide legal assistance to patients or residents who are discharged from a mental hygiene facility to a health care facility licensed pursuant to Article 28.

2. **A.5431 (O'Donnell) – Passed by the Assembly.**

This bill would provide access to mental health records for attorneys who are representing inmates in disciplinary hearings and other proceedings, who currently reside in a correctional special housing unit or a residential mental health housing unit.

3. **A.7226-A (Gunther) – Chapter 107**

This law will authorize the Justice Center for the Protection of People with Special Needs (Justice Center) to visit, inspect, and appraise the management of residential schools and facilities outside of New York State that serve New York residents.

4. **A.10053-A (Gunther) – Chapter 250**

This law will inform and engage stakeholders on the Office for People with Developmental Disabilities (OPWDD) service and support delivery transformation process by requiring OPWDD to publish quarterly updates on the progress of the implementation plan on its public website.

5. **A.10206 (Gunther) – Chapter 149**

This law will accelerate the implementation of the New York State ABLE Savings Account Program by authorizing the Comptroller to enter into a contract with the existing third party administrator of the NYS College Choice Tuition Savings Program for the purpose of administering the NY ABLE Savings Account Program and provide the Comptroller with the option to permit the programs to be administered jointly or separately by a 3rd party vendor.

6. **A.10409 (Gunther) – Passed by the Assembly and Senate**

This bill would identify the causes and determine the impact of high vacancy and turnover rates for non-profit providers delivering supports and services to individuals with intellectual and developmental disabilities, as well as the resources necessary to maintain a quality workforce in the direct support professional field.

7. **A.10461-A (Englebright) – Passed by the Assembly and Senate**

This bill would allow for a dependent of a military service member to retain eligibility for services regardless of leaving the State, as long as they retain residency and remain eligible for services. This bill would also allow a dependent who resides out-of-state to be placed on the waiting list for services if they left the state due to the military service member's military assignment.

8. **A.10556 (Titone) – Chapter 209**

This law will allow OPWDD developmental centers to access criminal history information of individuals coming into care. This background information will assist clinicians and staff to ensure that individuals has make care and treatment decisions are based on complete and accurate information.

The Legislature Approves Legislation to Provide Mental Health Education in Schools

The Assembly Committee on Mental Health is pleased about the passage of A.3887-B (Nolan) by both houses of the legislature. This bill would require mental health education to be taught as part of a health education curriculum in middle schools and high schools across the state. This legislation is a significant milestone for students and families who are struggling with mental illness. The members of the Assembly Committee on Mental Health will work with their colleagues in the Assembly Majority to urge the Governor to sign this legislation into law.

The Committee Convenes Roundtable on Mental Health Services for New Americans

On May 19th, the Assembly Committee on Mental Health, in conjunction with the Assembly Task Force on New Americans, convened a roundtable on mental health services for new Americans.

The purpose of the roundtable was to examine the availability of services, the degree of cultural competency of service providers, barriers to services, and the outlook for possible steps to improve access and utilization of mental health services for new Americans. The panel of roundtable participants included government officials, parents and advocates, mental health service providers, and research specialists. They provided information and discussion on several topics, including the need for more clinicians to provide mental health services, improved cultural competence in educational and training settings, increased access to treatment by utilizing alternative treatment settings, recruitment and retention of social workers and clinicians representative of different ethnic groups, and better access to comprehensive health care and effective language services. The Committee and its members will continue to work with the Task Force on New Americans, stakeholders in the mental health community, and the majority conference in the Assembly to ensure that evidenced-based and culturally competent treatment programs are available to all of those in need of mental health services.

Budget Highlights

Minimum Wage:

The issue of providing a livable wage for all New Yorkers was a major topic of discussion through this year's budget. The budget commits a total of \$8.4 million to support the needs of the Office of Mental Health (OMH) and OPWDD service providers. The Committee is in support of the budget agreement to phase in a \$15 per hour minimum wage. However, New York State must ensure that funding is made available to not-for-profit behavioral health and developmental disability service providers in a timely manner so they can pay their staff without negatively impacting the delivery of services.

Health Care Transformation Program:

The budget allocated \$195 million in capital funding for healthcare transformation statewide, and specifies that a minimum of \$30 million be provided to community-based health care providers, including diagnostic & treatment centers, mental health clinics, and alcohol and substance abuse treatment clinics.

Crisis Intervention Teams (CIT) and Diversion Programs:

The budget provided \$1.5 million to support CIT training for law enforcement professionals, and to support the development of alternative mental health diversion programs. These programs train law enforcement for situations involving individuals with mental illness to help reduce the number of individuals unnecessarily hospitalized or arrested.

Supported Housing for Individuals with a Mental Illness:

The budget provided \$38 million for supported housing and services for individuals with a mental illness who are currently living in an adult home.

Children's Mental Health Services:

The budget committed \$7.5 million in new funding for expanded children's mental health services. These new services will include off-site services; crisis intervention; community psychiatric supports and treatment; psychosocial rehabilitation services; family peer and support services; and youth and peer support and training. This funding is expected to grow to \$30 million in SFY 2017-2018. These resources are essential to ensuring a successful transition of children's mental health services into Medicaid managed care.

Person-Centered Services:

The budget provided \$30 million in state funding (\$120 million total with federal funding) for new person-centered services for individuals with developmental disabilities, including certified and non-certified residential services, day supports, employment and respite services. As the state transitions away from the use of inpatient facilities, increasing capacity for services in the community is critical to providing appropriate levels of care for this population.

Developmental Disability Crisis Services:

The budget provided \$15 million for crisis services by expanding the NY-START model to other OPWDD regions. Currently utilized in Regions 1 (Western NY) and 3 (Capital Region and Hudson Valley), NY-START is a community-based program that provides crisis prevention and response services to individuals with intellectual/developmental disabilities and behavioral health needs, as well as their families.



Assemblywoman Aileen Gunther and Assemblyman Angelo Santabarbara participate in a forum on recruitment and retention of direct care workers in the developmental disability service sector.



Assemblywoman Gunther addresses the New York State Association of Community and Residential Agencies and the New York State Rehabilitation Association in Albany.

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Contact Assemblywoman Aileen M. Gunther

District Offices:

18 Anawana Lake Road • Monticello, NY 12701 • 845-794-5807

16 James Street, 3rd Floor • Middletown, NY 10940 • 845-342-9304

Albany Office:

LOB 826 • Albany, NY 12248 • 518-455-5355

gunthea@nyassembly.gov

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