



The City of New York

Queens Community Board 11

Serving the Communities of Auburndale, Bayside, Douglaston, Hollis Hills
Little Neck and Oakland Gardens

Michael Budabin Chairperson / **Joseph Marziliano** District Manager

TO: All Board Members
FROM: Albert Galatan, Committee Chair
DATE: April 20, 2022

On April 19, 2022, the Community Board 11 Government Affairs/Legal Committee met via Zoom teleconference to discuss NYS Assembly Bill 8486, Assembly Bill 9287, NYS Senate Bill 8620 and the Blue Envelope Initiative that is currently used in Connecticut.

Present

Albert Galatan, Committee Chair
Henry Euler, 3rd Vice Chair
Roy Giusetti – Board Member
Jessica Burke – Board Member

Guests

Joanne Sold, Chief of Staff, NYS Assembly Member Tom Abinanti
Ralph Antonelli, Director, Quality Control Training, Judge Rotenberg Center (JRC)

Other

Nicole Kiprolov, Council Member Paladino's office
Dr. Ilana Slaff-Galatan, psychiatrist

CB11 Staff

Joseph Marziliano, District Manager
Jane Bentivenga, Community Coordinator

Mr. Galatan called the meeting to order and gave a brief overview of the proposed bills and the blue envelope initiative scheduled for discussion at this meeting.

Ms. Sold stated that Assembly Member Abinanti is the Chair of the People with Disabilities Committee in the NYS Assembly. He is a sponsor of all the above-mentioned bills. Bill A8486 relates to the due process procedures for persons who currently are placed in New York State Education Department approved, out-of-state residential schools pursuant to the education law and the federal Individuals with Disabilities Education Act who will become eligible to receive transitional care at a future date. In 2014/2015, parents or guardians were given the ability to say they don't agree with a type of service or placement being offered, allowing for a fair determination. Ms. Sold further explained that when New York State cannot find an appropriate placement, some of the most challenging cases are placed out of state, in Pennsylvania and

Massachusetts. School districts are required to provide to a free education to these individuals through the age of 21. Once it's time for them to transition, the Office of People with Development Disabilities (OPWDD) inform the families they have found a new placement, the family needs to bring the individual home or they now need to pay for all of the services received. This bill will require due process before the client transitions to OPWDD services. Mr. Antonelli, of JRC located in Massachusetts, stated that they have 142 clients/students from New York. OPWDD was offered the opportunity to open a replica site in upstate New York, but they declined to do so. This would essentially result in the institutionalization of these "aged-out" individuals. Mr. Giusetti inquired what, if any, other options will be available after the bill is passed. Ms. Sold said this bill will not directly provide more options. It will prohibit OPWDD from deciding what a suitable placement is resulting in a family being forced to accept it or the funding will be stopped resulting in the client being taken home or placed in an inappropriate facility. Mr. Galatan stated that the removal of funding would result in hundreds of thousands of dollars that would need to be privately paid.

Next discussed was the proposed NYS Assembly Bill 9287 and Senate Bill 8620 that would prohibit the appointment of certain state, municipal or agency employees as impartial hearing officers to hear appeals of determinations regarding children with handicapping conditions. This would ensure that the hearing officer is, indeed, impartial. These hearings often take too long to be resolved. Mr. Galatan stated that some of the OATH (NYC Office of Administrative Trials and Hearings) officers are not as trained or as familiar as they should be. Ms. Sold stated there is another bill that proposes that a determination for each step of these processes be made within a certain amount of time.

Mr. Galatan introduced Dr. Slaff-Galatan who spoke about proposed Assembly Bill A8548A which relates to insurance coverage for the screening, diagnosis and treatment (applied behavior analysis) of autism spectrum disorder. This bill proposes a maximum benefit of 680 hours of treatment per year for a covered individual. Dr. Slaff-Galatan stated that currently in New York, only private insurance pays for this. In children 8 years of age and older with this condition, 70% are treated with psychotropic medications which are extremely costly. In addition, people with autism are more prone to side effects from medications (such as seizures). Ms. Sold stated that all too often, insurance companies are seeking to limit coverage rather than expand it. Mr. Galatan inquired as to the status of this bill. Ms. Sold said this bill is relatively new. It is not likely to get out of Committee and be put on the floor for a vote before the session ends the first week of June. Mr. Galatan also inquired as to the status of the bill regarding impartial hearing officers. Ms. Sold said that bill is also still in Committee and has not been put on an agenda.

The last item discussed was the Blue Envelope Initiative. It is for high-functioning, special needs individuals. The purpose of the blue envelope is to have a driver place their insurance card, registration and driver's license in it so they can hand it to an officer during a traffic stop. On the outside of the envelope are helpful tips and instructions for both the officer and driver on how to successfully communicate with each other. Police officers are trained about this initiative. The link to a story that ran on a local news station in Connecticut about this program is: <https://www.nbcconnecticut.com/news/local/mother-works-to-raise-awareness-of-ct-program-for-drivers-with-autism/2742298/>.

Respectfully submitted 4/21/2022

46-21 Little Neck Parkway, Little Neck, NY 11362 Tel. 718-225-1054 Fax 718-225-4514
QN11@cb.nyc.gov www.nyc.gov/queenscb11