



NEW YORK STATE SENATOR

Cecilia Tkaczyk

Two Tkaczyk Initiatives Included in Assembly, Senate Budget Resolutions

CECILIA TKACZYK March 19, 2014

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State Senator Cecilia Tkaczyk has had rare success in this year's budget drafting process -- two major initiatives of hers, introduced in 2013, have been included in both the Senate and Assembly budget resolutions.

Senator Tkaczyk's legislation to reform the way **Early Intervention** (EI) services are provided and paid for, and another measure to rewrite and expand the **Community Mental Health Reinvestment Act** were both outlined and accepted into the budget resolutions put forward by both houses.

"I was happy to see my bills were included in both the Assembly and Senate resolutions. I think that speaks volumes about the merit of, and the need for, these important measures," Senator Tkaczyk said.

Former Assemblyman Steve Sanders, one of the original prime sponsors of the 1992 Early Intervention Law and the lead sponsor of the 1993 Community Mental Health Reinvestment Act, and now an advocate for children with special needs, said, "The two proposals are crucial to the future of providing services to some of states most vulnerable children and adults. Senator Tkaczyk got out in front of these issues, and has worked tirelessly to get them

adopted into law. Hopefully now both houses of the Legislature will follow her lead as the budget negotiations come to a conclusion.”

Senator Tkaczyk’s **Early Intervention** legislation would correct a major bureaucratic snafu that has jeopardized programs for infants and toddlers with developmental disabilities.

Changes made in 2011 require EI service providers to obtain payment from health insurance companies and Medicaid before seeking payment from the state. But the EI providers – many of whom are sole proprietors -- are not trained or staffed to handle the administrative cost or the workload, causing payment delays and forcing many providers, especially in underserved rural areas, out of business.

Senator Tkaczyk began investigating the issue last Spring, and introduced a bill that would require prompt payment for providers, and also require the state's new Early Intervention "Fiscal Agent" to pursue and recover payments from insurance companies and Medicaid.

Senator Tkaczyk introduced the measure (S.5938) on September 20, 2013. It was introduced in the Assembly by Assemblyman Danny O'Donnell, and following a hearing by four Assembly committees, the legislation was changed slightly and introduced by the respective chairs of the Assembly and Senate Health Committees.

The measure was included in the DOH budget in both the Assembly and Senate budget proposals last week.

Senator Tkaczyk's **Community Mental Health Reinvestment** proposal (S.5631) was introduced on May 30, 2013, and immediately introduced in the Assembly by Mental Health Committee Chair Aileen Gunther.

The bill would require that the savings from the closing of state psychiatric hospital beds, wards, floors, departments and entire hospitals would be kept in the mental health system, and redirected into community-based services in both the state operated and not-for-profit sectors.

Working closely with the Committee Chairs in both houses, a slightly revised bill was introduced in both the Senate and Assembly, and Senator Tkaczyk has joined with Senate Committee Chair David Carlucci and former Mental Health Committee Chair Tom Libous on that legislation.