

December 30, 2009

HEALTH & HUMAN SERVICES COMMITTEE
REPORT NO. 17

ALL MEMBERS PRESENT.

CHAIR MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 27E-5 (2009)
REYNOLDS: "Copy of Letter to the President of Community Action Organization of EC, Inc. - Resignation"
(5-0)
 - b. COMM. 27M-5 (2009)
COLUCCI & GALLAHER, P.C.: "ECMCC Agenda Items for Board of Directors Meeting Held 12/01/09"
(5-0)
2. INTRO 27-2 (2009)
REYNOLDS
WHEREAS, Assembly Bill §8625A - Sponsor New York State Assemblyman Mark J. F. Schroeder and Senate Bill §5831A - Sponsor New York State Senator Shirley L. Huntley & William T. Stachowski would direct the Commissioner of Mental Retardation and Developmental Disabilities to study and report the cost to the state for the early diagnosis and long-term treatment of autism spectrum disorder; and

WHEREAS, these bills requires that the Commissioner Of Mental Retardation conduct a study and report the results to the State of New York on the cost of early diagnosis of autism spectrum disorders and the long-term treatment of individuals with autism spectrum disorders; and

WHEREAS, there are NO current studies in New York State being done in this area; and

WHEREAS, improving systems of care for individuals and their families with autism spectrum disorder, mental health, and neuro-behavioral disorders; and

WHEREAS, create timely and efficient systems of care for all children with autism spectrum and mental health needs; and

WHEREAS, achieve effective cost savings to reinvest in education, prevention, and early intervention; and

WHEREAS, according to current research, 1 in 91 children, and 1 in 64 boys born in the United States will be diagnosed as on the Autism Spectrum. A recent study by Michael Ganz, M.S.,PH.D., Abt Associates Inc. Lexington, Mass., and Harvard School of Public Health, Boston, reports that each individual with Autism accrues about \$3.2 million in costs to society over his or her lifetime; and

WHEREAS, Autism costs more than \$35 billion in direct and indirect expenses each year. These costs do affect our society as a whole. This is an epidemic that needs to be addressed in order to ensure the most efficient effective services, teaching and parenting methods, and treatment is provided to all children who are living with an autistic spectrum disorder; and

WHEREAS, only this way will we be able to get an accurate diagnosis of the problem, and proper treatment be prescribed; and

WHEREAS, brain research demonstrates that intervention is most effective when implemented on a young, flexible brain. Children with autism benefit from intensive, early intervention programs and should reduce their need for intensive supports later. This legislation seeks to project the estimate of future costs to the state associated with the increased demand for state services that will be needed to accommodate the tremendous growth in the number of individuals being diagnosed with autism spectrum disorder.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby go on record to call for the support of A.8625A/S.5831A; and be it further

RESOLVED, that certified copies of this resolution be forwarded to New York State Commissioner of Mental Health Department, Commissioner of Health Department, Chairperson of New York State Assembly Ways & Means Committee, Chairperson of New York State Senate Rules Committee, our entire New York State delegation and the Governor of New York State.
(5-0)

3. INTRO 27-3 (2009)
REYNOLDS
WHEREAS, Assembly Bill §8998 - Sponsor New York State Assemblyman Mark J. F. Schroeder and Senate Bill §5985 - Sponsor New York State Senator William T. Stachowski would amend the public health law and the mental hygiene law, in relation to directing the Commissioner of Health and the Commissioner of Mental Retardation and Developmental Disabilities to promulgate rules and regulations to creates a voluntary universal consent form to enable the efficient transfer of health and mental health records among providers; and

WHEREAS, these bills allow for continuous, informed, coordinated care for children, adolescents, and families; and

WHEREAS, in the current system, each health care agency has its own individual consent and when an individual goes from one agency to the next, sometimes it can take significant time for critical treatment information and historical information to follow. As a result, the treatment process can become ineffective; and

WHEREAS, improving systems of care for individuals and their families with autism spectrum disorder, mental health, and neuro-behavioral disorders; and

WHEREAS, create timely and efficient systems of care for all children with autism spectrum and mental health needs; and

WHEREAS, achieve effective cost savings to reinvest in education, prevention, and early intervention; and

WHEREAS, expands current law to mandate autism spectrum training for all special and general education NYS teacher candidates seeking certification; and

WHEREAS, with the Passport, designated individuals will be able to have their records more easily shared among providers when needed, without delay. As a result, with mental health and health treatment records more easily shared, treatment can be accomplished more efficiently and timely, with less barriers; and

WHEREAS, coordinated and streamlined care does not happen without smooth transfer of records and information. These bills seek to make for a seamless system of information sharing between and among providers with a need to know.

Additionally, such rules and regulations shall establish guidelines and protocols for:

- Best practices for the screening for and diagnosis of autism spectrum disorders;
- Employment of objective autism spectrum disorder tools;
- Appropriate referral mechanism for children, who based upon the results of screening for autism spectrum disorders, requires further evaluation; and

WHEREAS, according to current research, one in 91 children and one in 58 boys born in the United States will be diagnosed as being on the Autism Spectrum. When an individual moves from one health care organization to the next, families do not want to keep telling their account of the problem repeatedly. They would like to share their information with the originating provider and have the expectation that it will be compiled and become a comprehensive record; and

WHEREAS, only this way will we be able to get an accurate diagnosis of the problem, and proper treatment to be prescribed; and

WHEREAS, these bills direct the Commissioner Of Health and Commissioner Of Mental Retardation and Developmental Disabilities to jointly promulgate rules and regulations to make for a seamless system of information sharing between and among providers for autism spectrum disorders.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby go on record to call for the support of A.8998/S.5985; and be it further

RESOLVED, that certified copies of this resolution be forwarded to New York State Commissioner of Mental Health Department, Commissioner of Health Department, Chairperson of New York State Assembly Health Committee, Chairperson of New York State Senate Rules Committee, our entire New York State delegation and the Governor of New York State.
(5-0)

4. INTRO 27-4 (2009)

REYNOLDS

WHEREAS, Assembly Bill §9075 - Sponsor New York State Assemblyman Mark J. F. Schroeder and Senate Bill §6200 - Sponsor New York State Senator William T. Stachowski would create opportunities to demonstrate that blended funding will support efficient systems of care for all children with behavioral health challenges; and

WHEREAS, these bills calls for the NYS Health Commissioner to fund mental health wrap-around demonstration projects in State of New York for early diagnosis of autism spectrum disorders and the long-term treatment of individuals with autism spectrum disorders; and

WHEREAS, this blends Office of Mental Retardation and Developmental Disabilities, Office of Mental Health, Dept. of Health, and other funding streams to improve outcomes for children, adolescents and families; and

WHEREAS, improving systems of care for individuals and their families with autism spectrum disorder, mental health, and neuro-behavioral disorders; and

WHEREAS, create timely and efficient systems of care for all children with autism spectrum and mental health needs; and

WHEREAS, achieve effective cost savings to reinvest in education, prevention, and early intervention; and

WHEREAS, coordinates support and services for children, adolescents and families across different service systems; and

WHEREAS, efficiently assists children and families from high risk or crisis to stabilization; and

WHEREAS, decreases utilization of high cost out-of-home services; and

WHEREAS, increases utilization of home, community, and school based support and services; and

WHEREAS, needed because children and adolescents with behavioral health issues in New York State are getting passed around between various mental health, health, social services, and educational systems, rather than the right care in the right place at the right time to improve outcomes; and

WHEREAS, Autism costs more than \$35 billion in direct and indirect expenses each year. These costs do affect our society as a whole. This is an epidemic that needs to be addressed in order to ensure the most efficient effective services, teaching and parenting methods, and where treatment is provided to all children who are living with an autistic spectrum disorder; and

WHEREAS, brain research demonstrates that intervention is most effective when implemented on a young, flexible brain. Children with autism benefit from intensive, early intervention programs and this should reduce their need for intensive supports later. This legislation seeks to project the estimate of future costs to the state associated with the increased demand for state services that will be needed to accommodate the tremendous growth in the number of individuals being diagnosed with autism spectrum disorder.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby go on record to call for the support of A.9075/S.6200; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the New York State Commissioner of Mental Health Department, the Commissioner of Health Department, Chairperson of New York State Assembly Health Committee, Chairperson of New York State Senate Rules Committee, our entire New York State delegation and the Governor of New York State.
(5-0)

5. INTRO 27-5 (2009)

REYNOLDS

WHEREAS, Assembly Bill §8251 - Sponsor New York State Assemblyman Mark J. F. Schroeder and Senate Bill §6201 - Sponsor New York State Senator William T. Stachowski would to amend the public health law and the mental hygiene law, in relation to directing the Commissioner of Health and the Commissioner of Mental Retardation and Developmental Disabilities to promulgate rules and regulations requiring every child beginning at the age of eighteen months to be examined for autism spectrum disorders; and to repeal section 2500-j of the public health law relating to screening children for autism spectrum disorders; and

WHEREAS, improving systems of care for individuals and their families with autism spectrum disorder, mental health, and neuro-behavioral disorders; and

WHEREAS, create timely and efficient systems of care for all children with autism spectrum and mental health needs; and

WHEREAS, achieve effective cost savings to reinvest in education, prevention, and early intervention; and

WHEREAS, expands current law to mandate autism spectrum training for all special and general education NYS teacher candidates seeking certification; and

WHEREAS, Public Health Law §2500-j directed the commissioner to establish, for use by pediatric primary care providers, best practice protocols for early screening of children for autism spectrum disorders; and

WHEREAS, the protocols incorporate standards and guidelines established by the American Academy of Pediatricians and include, but are not limited to:

(1) The routine employment of objective autism spectrum disorder screening tools at regular intervals during critical childhood developmental stages; and

(2) A provider/parental dialogue, utilizing the modified checklist for autism in toddlers as a reference, intended to educate parents in regard to autism spectrum disorders; and

(3) An appropriate referral mechanism for children who, based upon results of the aforementioned screening process, require further evaluation; and

WHEREAS, these bills direct the Commissioner Of Health and Commissioner Of Mental Retardation And Developmental Disabilities to jointly promulgate rules and regulations requiring pediatric health care providers to screen children beginning at the age of 18 months for autism spectrum disorders during each wellness and preventative care examination; and

WHEREAS, these bills direct the Commissioner of Health and Commissioner of Mental Retardation and Developmental Disabilities to jointly develop the rules and regulations that must include the Clinical Diagnostic Tools needed by pediatricians to evaluate for Autism Spectrum Disorder (ASD). Additionally such rules and regulations shall establish guidelines and protocols for: the best practices for the screening for and diagnosis of autism spectrum disorders; and the employment of objective autism spectrum disorder tools; and the appropriate referral mechanism for children, who based upon the results of screening for autism spectrum disorders, require further evaluation; and

WHEREAS, brain research demonstrates that intervention is most effective when implemented on a young, flexible brain. Children with autism benefit from intensive, early intervention programs and should reduce their need for intensive supports later. This legislation focuses awareness and promote understanding of children with autism and help to support these children and their families; and

WHEREAS, additionally, according to a study by the London School of Economics, the cost of lifelong care can be reduced by 2/3 with early diagnosis and intervention; and

WHEREAS, this legislation requires early screening of each child which should facilitate earlier diagnosis and intervention and help improve the outcomes for the child with an autism spectrum disorder.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby go on record to call for the support of A.8251/S.6201; and be it further

RESOLVED, that certified copies of this resolution be forwarded to New York State Commissioner of Mental Health Department, Commissioner of Health Department, Chairperson of New York State Assembly Health Committee, Chairperson of New York State Senate Rules Committee, our entire New York State delegation and the Governor of New York State.

(5-0)

6. INTRO 27-6 (2009)

REYNOLDS

WHEREAS, Assembly Bill §8996 - Sponsor New York State Assemblyman Mark J. F. Schroeder and Senate Bill §5986 - Sponsor New York State Senator William T. Stachowski would require all teachers to complete training in area of autism and directs the commissioner of education to assure that such training is included in all teacher certificates; and

WHEREAS, improving systems of care for individuals and their families with autism spectrum disorder, mental health, and neuro-behavioral disorders; and

WHEREAS, create timely and efficient systems of care for all children with autism spectrum and mental health needs; and

WHEREAS, achieve effective cost savings to reinvest in education, prevention, and early intervention; and

WHEREAS, expands current law to mandate autism spectrum training for all special and general education NYS teacher candidates seeking certification; and

WHEREAS, Chapter 143 of the Laws of 2006 requires that all persons applying for a teaching certificate or license as special education teachers must complete three hours of course work and/or training in the area of children with Autism. Training must be provided by an institution that is approved by the NYS Education Department. The Commissioner of Education has developed standards to ensure that candidates for a teaching certificate or license in special education have received appropriate training; and

WHEREAS, this bill requires that all teacher candidates complete a minimum of three hours of training in the area of Autism and directs the Commission of Education to ensure that this training is appropriate and is included in all teacher certification programs; and

WHEREAS, according to current research, one in 91 children, and one in 64 boys born in the United States will be diagnosed as on the Autism Spectrum. With the emphasis on the least restrictive environment, schools work to include all students with disabilities in the regular education program as much as possible. Also, schools are forefront in working with parents to meet the needs of all students and may be the one of the first institutions to speak with parents if a student is presenting concerns in the classroom; and

WHEREAS, given the prevalence of Autism Spectrum Disorders mentioned above, this will include students on the Autism spectrum. This law will require all teachers to be trained in Autism Spectrum Disorders.

Training will include, but is not limited to:

- Awareness of the types of Autism Spectrum Disorders, including Asperger's Syndrome and PDD-NOS,
- Characteristics of children with autism,
- Steps to take if a teacher has a student who presents these characteristics,
- Instructional strategies to assist in the education of students with autism; and

WHEREAS, brain research demonstrates that intervention is most effective when implemented on a young, flexible brain. Children with autism benefit from intensive, early intervention programs and should reduce their need for intensive support later. This legislation focuses educators' awareness on and promote understanding of children with autism and help to support these children and their families.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby go on record to call for the support of A.8996/S.5986; and be it further

RESOLVED, that certified copies of this resolution be forwarded to New York State Commissioner of Mental Health Department, Commissioner of Health Department, Chairperson of New York State Assembly Education Committee, Chairperson of New York State Senate Rules Committee, our entire New York State delegation and the Governor of New York State.
(5-0)

7. COMM. 27E-34 (2009)

COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointment of Carol Dankert as the Commissioner of the Erie County Department of Social Services.
(5-0)

**THOMAS J. MAZUR
CHAIR**