

A Message from the Chair...



James Skoufis

Chairperson

NYS Assembly
Task Force on
People with
Disabilities

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December 2018

Happy Holidays! I hope this newsletter finds you happy, healthy and enjoying the festive holiday season. As I write this letter, I'm filled with both tremendous pride and a touch of sadness. I am beyond proud of our collective efforts during the short time I was fortunate to serve as Chair of the Assembly Task Force on People with Disabilities.

However, as many of you are aware, I was just elected to serve in the New York State Senate, so I will no longer be Chair come 2019. While I'm very eager to start the next chapter of my public service, I will truly miss the role of Task Force Chair. I have thoroughly enjoyed getting to know so many of New York's amazing disability advocates and working on the issues most important to you. Together, we weathered the storm of a very frustrating budget season, winning some battles and losing others. I am anxious to take our fight to the State Senate next year.

We rallied and were victorious in passing a bill (A.10706) through the Assembly on Legislative Disabilities Awareness Day that would reestablish the Office of Advocate for People with Disabilities to be a voice for persons with disabilities and assure that the disability community is afforded the opportunity to exercise all of the rights and responsibilities accorded to citizens of the state of New York (please see more about this on page 3). This is the first time either chamber has passed this long-standing priority that many of us share.

I also look forward to building on our introduction of legislation (A.11290) that will eliminate provisions exempting employees with disabilities from the minimum wage law. It will also provide that laws or minimum wage orders that authorize an employer to pay a wage that is less than the minimum wage are valid provided that under such laws or orders an employee with a disability is paid the same wage as an employee in a comparable position that does not have a disability.

I am excited for what's to come and I truly look forward to continuing my advocacy while in the State Senate. It has been a privilege to serve alongside Kim Hill, the Task Force's Executive Director, and work with so many advocates this year. Please stay in touch and, as always, please call the Task Force office at 518-455-4592 with any comments, questions or concerns.

Sincerely,

James Skoufis, Chair
New York State Assembly Task Force
on People with Disabilities



Assembly Members James Skoufis, Melissa Miller and Aileen Gunther with John Robinson, CEO of Our Ability, Inc., recipient of the annual "Dr. Henry Viscardi, Jr. Advocacy Award" at the Assembly's annual Legislative Disabilities Awareness Day in Albany on May 30, 2018. Mariah Sepulveda from the Viscardi School was on hand to celebrate.

For More Information

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Legislative Disabilities Awareness Day



Assembly Speaker Carl Heastie addresses the crowd at the Assembly's annual Legislative Disabilities Awareness Day in Albany on May 30, 2018.

The New York State Assembly Task Force on People with Disabilities and the Committee on Mental Health hosted the annual Legislative Disabilities Awareness Day (LDAD) on Monday, May 30, 2018 in Albany. The event was sponsored by Speaker Carl Heastie, Minority Leader Brian M. Kolb, Assembly Members James Skoufis, Aileen Gunther and Melissa Miller.

John Robinson, CEO of Our Ability, Inc., was presented with the annual "Dr. Henry Viscardi, Jr. Advocacy Award," which honors an individual each year who has dedicated him or herself to advocacy on behalf of people with disabilities. This award is given in the name of Dr. Henry Viscardi, Jr. because he was a legendary activist and supporter of disability rights. As in prior years, nearly 50 organizations that serve the disability community displayed exhibits to

provide information and demonstrate the services and opportunities that are available to people with disabilities. Also, two seminars on disability issues were held on the following topics:

- Emergency Preparedness: From Individual to Community Responsibility (We are really all in this together!)
- The Essentials of the New Mental Health in Schools Law in New York State

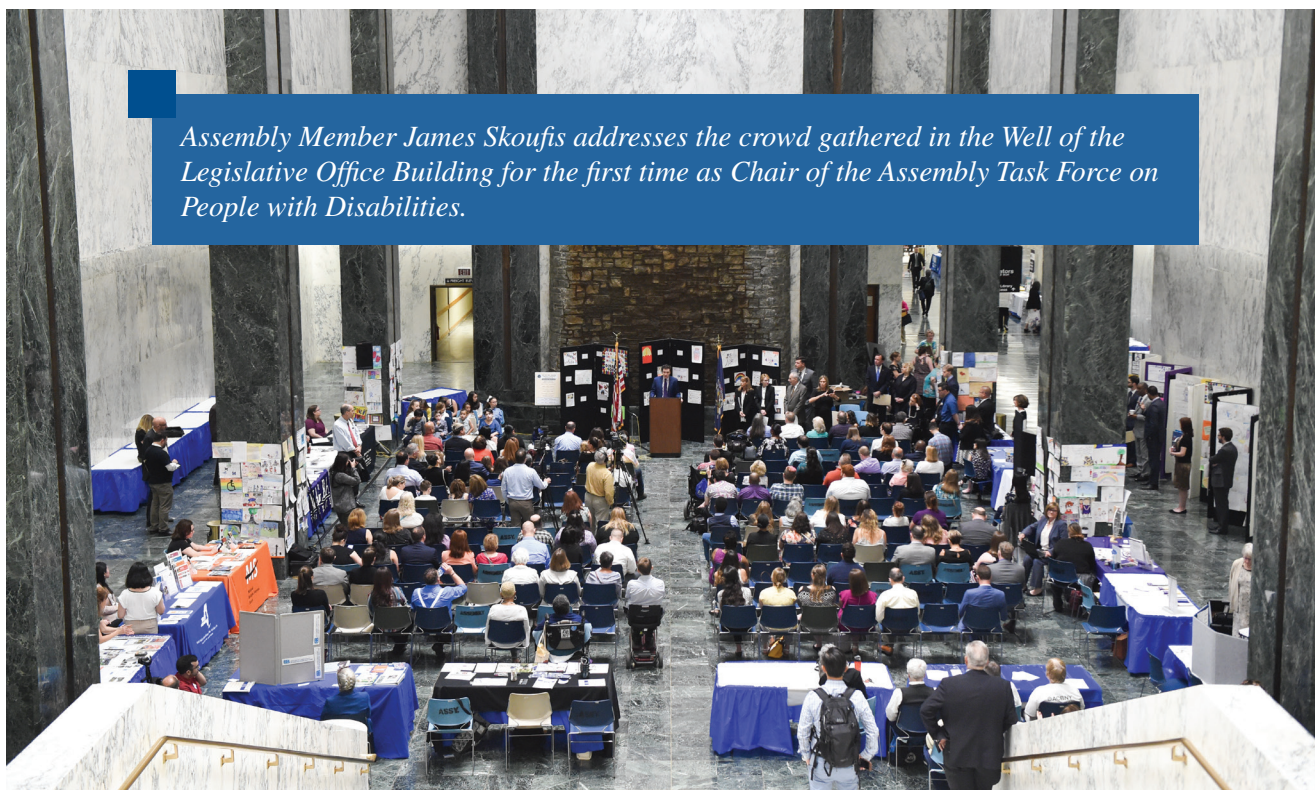
2018 LDAD Legislation Agenda

As part of LDAD tradition, the Assembly passed a package of legislation aimed at making the lives of people with disabilities easier. Last year's legislative package included:

Disability Rights

- **A.2546 (Lifton)** – This bill would waive the state's sovereign immunity with regard to application of the Americans with Disabilities Act of 1990, the Age Discrimination in Employment Act of 1967, the Fair Labor Standards Act of 1938, and the Family and Medical Leave Act of 1993 as they apply to the protection of state employees.
- **A.7283 (Dilan)** – This bill would clarify that reasonable accommodation to enable a person with a disability to use and enjoy a dwelling includes the use of an animal to alleviate the symptoms or effects of a disability.
- **A.10706 (Skoufis)** – This bill will reestablish the Office of Advocate for People with Disabilities to advocate on behalf of persons with disabilities and ensure that they are afforded the opportunity to exercise all of the rights and responsibilities accorded to all citizens of the state of New York, including

Assembly Member James Skoufis addresses the crowd gathered in the Well of the Legislative Office Building for the first time as Chair of the Assembly Task Force on People with Disabilities.



the opportunity to live an independent life in their local community.

Emergency Preparedness

- **A.10201 (Skoufis)** – This bill would require every high-rise building owner to establish and maintain an emergency evacuation plan for disabled occupants and visitors. Additionally, this bill would require the owners of such buildings to maintain and update the emergency evacuation plan for persons with disabilities as necessary and ensure that such plan is readily available to emergency personnel.
- **A.6865 (Weprin)** – This bill would aid localities in preparing for and responding to disasters by requiring counties with local emergency management plans to maintain a confidential registry of people of all ages with disabilities who may require evacuation assistance and shelter during a disaster. People would be provided with the option to be included in the registry.

Medical Equipment

- **A.10604 (McDonald)** – This bill would require the Commissioner of Health to maintain specific reimbursement and billing procedures within Medicaid for complex rehabilitation technology products and services to ensure that payments for such products and services permit adequate access to complex needs patients and takes into account the significant resources, infrastructure, and staff needed to meet their needs.

Social Services

- **A.3045 (Hevesi)** – This bill would provide factors to be considered when the health care practitioner utilized by the local social services district examines an applicant for or recipient of public assistance with regards to a possible work limitation or exemption due to a disability; require such health care practitioner utilized by the local social services district to provide an explicit written determination and to present evidence when their diagnosis differs from that of the treating health care practitioner.

Tax Credits

- **A.1369-A (Cusick)** – This bill would establish a small business tax credit for the employment of people with disabilities.
- **A.5333-A (Weprin)** – This bill would provide an incentive for owners of residential buildings to retrofit homes for access for people with disabilities.
- **A.10668 (Lavine)** – This bill would create a tax credit for either new or retrofitted principal residences which are universally designed to be accessible and adaptable housing.

Veterans

- **A.5931 (Ramos)** – This bill would establish the New York State Interagency Coordinating Council for Service-Disabled Veterans, define the powers and duties of the council and require an annual report.

New Yorkers with Physical Disabilities Need More Comprehensive Representation at the State Agency Level

The Task Force on People with Disabilities meets with dozens of advocates and advocacy organizations every year, and many times we hear a consistent message, echoing requests regarding certain priorities. This year was no different, in fact, there was one priority that was made abundantly clear – New Yorkers with physical disabilities have no direct state agency to report to or seek advice, guidance, information and representation from on many issues.

While there has been some movement over the last few years to reinstate the former Office of Advocate for Persons with Disabilities or something similar, this year the Task Force was successful in both introducing and passing a bill (A.10706) in the Assembly that will do just this!

The Office of Advocate for Persons with Disabilities was originally established in 1983 through Executive Order No. 26. As one of his first acts in office, Governor Andrew Cuomo continued Executive Order 26. However, despite the existence of the Office on the books, most of the disability advocacy functions that existed in state government within the original Office of Advocate have disappeared throughout the years.

Should we be able to pass this bill in the Senate and get it signed into law, this office will function as an advocate for the rights of people with disabilities to help receive services and support that enable them to make informed choices and decisions. This bill made tremendous progress in its first year in the Assembly and will remain a top priority as we head into 2019.

Disabilities Awareness Day Poster Contest

For the last several years, the Assembly has incorporated an elementary school poster contest as a component of LDAD. We sponsor this contest because educating today's children both about the challenges that people with disabilities face and the contributions they make to society will make tomorrow's leaders much less tolerant of discrimination. Eighteen students from Assembly Member Cusick's district received awards for their perceptive and creative entries into our annual elementary school poster contest.

First Place Winners:

- Anthony Pizzo
Our Lady of Good Counsel, Kindergarten
- Michael Tisi
Our Lady of Good Counsel, First Grade
- Chiara Selfridge
Our Lady of Good Counsel, Second Grade
- Marcella Del Balso
Our Lady of Good Counsel, Third Grade
- Star Papas
Our Lady of Good Counsel, Fourth Grade
- Sara Pukala
P.S. 6, Fifth Grade

Second Place Winners:

- Jayden Balatucan
St. Christopher School, Kindergarten

- Scarlett Serdaros
Our Lady of Good Counsel, First Grade
- Emma Kokkinakis
Our Lady of Good Counsel, Second Grade
- Daniel Boylan
Our Lady of Good Counsel, Third Grade
- Jayla Rae DiTringo
Our Lady of Good Counsel, Fourth Grade
- Nicole Kindja
St. Christopher School, Fifth Grade

Third Place Winners:

- Salvatore Ragucci
Our Lady of Good Counsel, Kindergarten
- Jordyn Carmelengo
Our Lady of Good Counsel, First Grade
- Joseph Iacono
Our Lady of Good Counsel, Second Grade
- Nico Vitagliano
Our Lady of Good Counsel, Third Grade
- Lily Ahlborn
Our Lady of Good Counsel, Fourth Grade
- Madison Hoerle
Notre Dame Academy, Fifth Grade

We would like to thank everyone who participated in the 2018 Legislative Disabilities Awareness Day for making it such a great success and we look forward to seeing you at LDAD again this year.

"It is easier to build strong children than repair broken men." – Frederick Douglass

New York State Assembly, Albany, New York 12248

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News... *from the New York State Assembly Task Force on People with Disabilities*



James Skoufis, Chair ■ Carl Heastie, Speaker



Assembly Members Michael Cusick and James Skoufis celebrate the accomplishments of poster contest winners, front row left to right: Star Papas, Chiara Selfridge, Emma Kokkinakis, Michael Tisi, Scarlett Serdaros, Jayden Balatucan, Lily Ahlborn; second row left to right: Sara Pukala, Nico Vitagliano, Jayla Rae DiTringo, Madison Hoerle.