



# LEGISLATIVE BRIEFS...

November 2008

## **Capitol Update: Congress Passes Mental Health Insurance Parity!**

In 2005 NYS PTA members adopted a Mental Health Insurance Parity resolution supporting legislation that would provide parity insurance coverage that would assist children and youth in need of mental health services. While New York State parity laws have been adopted and strengthened, federal action has been stalled since last fall. However, just before last month's Congressional adjournment, the House and Senate finally managed to reach an agreement on a mental health parity bill and President George W. Bush has signed it into law.

The Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act, H.R. 6983, was signed on October 3 as part of the \$700 billion economic bailout package, H.R.1424, and became Public Law No: 110-343. The passage of this legislation marks the culmination of over a decade-long struggle by mental health advocates to gain greater equity in the provision of mental health and substance use disorders services under group health plans. A compromise bill was introduced in the House on September 22 by Representatives Patrick Kennedy (D-RI) and Jim Ramstad (R-MN) and requires that insurers that choose to offer mental health services have equivalent treatment limits and financial requirements for these services as for medical/surgical care. **State parity laws providing stronger consumer protections, benefits and rights will be preserved.** Businesses with less than 50 employees are exempted. The effective date for most health plans will be January 1, 2010. It is estimated that the newly instituted law will improve coverage for 113 million people. For information...

<http://www.govtrack.us/congress/bill.xpd?bill=h110-6983>

<http://www.govtrack.us/congress/bill.xpd?bill=h110-1424>

## **Americans with Disabilities Amendments Act of 2008 signed by President Bush**

The amended ADA legislation, signed by President Bush in late September, makes it possible for Americans with learning disabilities to access accommodations on high stakes exams (such as the GRE, GMAT, LSAT, medical boards and others) and in the workplace in keeping with the original intent of the law. One of the greatest wins in the signing of this law is the explanation that adult students with learning disabilities deserve the same protections under the law as any other student with a disability.

<http://www.edweek.org/ew/articles/2008/09/24/05ada.h28.html?print=1>

## **Around the State:**

### **Coalition Testifies Before State Commission on Property Tax Relief**

The Suozzi Commission for Property Tax Relief has been holding statewide public hearings on specific tax relief recommendations made by the Commission in its June 2nd report to Governor Paterson. In addition to the propensity for tax caps to exacerbate inequities between poor and affluent school districts and undermine local control, a major criticism of the proposal to cap school district tax levies is that this measure does nothing to contain mandated school cost drivers, such as employee health and pension benefits, fuel and energy costs, and soaring special education costs. Ongoing hearings are currently focusing on specific cost areas: special education, mandates, and the Big 4 cities of Rochester, Buffalo, Yonkers and Syracuse.

New York State PTA is a key component in a coalition of education and child advocacy stakeholders that has been providing important testimony on the Commission's recommendations. The coalition is led by New Yorkers for Fiscal Fairness and members of the Educational Conference Board including

the New York State Parent Teachers Association as well as labor and fiscal policy groups, tax pac groups, civil service members, et al.

New York State PTA President, Maria DeWald, presented testimony before the state Commission in Albany on October 2. In addition to addressing the issues of underfunded and unfunded mandates and special education, President DeWald stated that "A tax cap, as evidenced in any state that has attempted one, clearly limits a community's choice to invest in quality education, leaving no option but to cut programs and services. In addition, an intrinsic inequity is inherent in a community's ability to override the cap and creates a greater gap between rich and poor. Why, when the goal of foundation aid is to close that gap, would we revert to a regressive measure? Who will speak for the next generation if not a citizenry dedicated to providing equal access to a quality education?" For additional testimony...

<http://www.nyscoss.org/pdf/upload/TestimonyPropertyTaxCommissionOct2008.docx.pdf>  
<http://www.nyssba.org/index.php?src=news&srctype=detail&category=Advocacy%20Legislation%20Updates&refno=525>  
[http://www.nysut.org/cps/rde/xchg/nysut/hs.xsl/legislation\\_11007.htm?print=1](http://www.nysut.org/cps/rde/xchg/nysut/hs.xsl/legislation_11007.htm?print=1)

### **Governor Signs Law to Create Rural Schools Center at Cornell University**

On September 25<sup>th</sup>, Governor Paterson signed S.7124-B/ A.10201-B into law, creating the New York Center for Rural Schools. The Center is the first national legislatively established research center of its kind and will be charged with exploring ways to expand the role of schools in rural communities. The Center is intended to provide rural schools with a number of services, including consultation on how to recruit and retain qualified teachers and will also help these schools address local school-tax concerns and the need for flexible funding.

The New York State PTA is a cooperating partner with the Rural Schools Association. The Association consists of about 300 school districts and BOCES units and the Rural Education Advisory Committee which works with rural schools, communities, and state and local agencies to assist rural schools in addressing significant issues unique to these schools and the communities they serve. For information...

<http://www.legislativegazette.com/printable.php?id=3227>  
<http://www.assembly.state.ny.us/leg/?bn=S07124>

### **Governor Paterson Addresses the School Drop-Out Rate**

The New York State Governor's Summit on Student Engagement and Dropout Prevention was held on October 10<sup>th</sup> at Nazareth College in Rochester. As host of the summit, Governor Paterson delivered remarks to 500 students, education experts and elected officials, calling on all New Yorkers to do their part in stemming the school dropout epidemic across the State. While NY's dropout rate has slightly improved, the focus of the summit was to address the still staggering numbers of high school drop-outs. The purpose of the Summit was to increase public awareness of student engagement, dropout prevention, and college-readiness; secure commitment for integrated collaboration between corporate, nonprofit, public and education sectors; and provide a forum to discuss and recommend policy changes. For information...

[http://www.state.ny.us/governor/press/press\\_1010081\\_print.html](http://www.state.ny.us/governor/press/press_1010081_print.html)  
<http://icohere-presentations.com/nystatesummit/>

### **NYS Legislature Schedules Special Budget Meeting on November 18**

At a meeting between Governor Paterson and legislative leaders on Oct. 3, it was announced the Legislature will hold a special session on Nov. 18 to address an estimated \$1.2B current year budget deficit. The Governor also announced he will be submitting the Executive Budget proposal for 2009-2010 on Dec. 16, a month before it is routinely submitted, to give the Legislature more time to ensure a balanced spending plan. For information...

<http://www.legislativegazette.com/printable.php?id=3248>  
[http://www.state.ny.us/governor/press/press\\_1003081.html](http://www.state.ny.us/governor/press/press_1003081.html)