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# LEGISLATIVE BRIEFS...

August 2009

## **New York Makes Timothy's Law Permanent**

On July 11, Governor David Paterson signed Chapter 181, making Timothy's Law permanent. New York's mental health parity law was scheduled to sunset this year. The measure will enable more children to receive the services and treatment they need, and alleviate the stigma associated with mental illness.

Timothy's Law is strengthened by a federal mental health parity law enacted in October 2008: the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act. The federal law requires that large employer groups (more than 50 employees) that provide mental health benefits must do so in full parity with other medical benefits covered under the policy. After the Act takes effect in October 2009, Timothy's Law will require that large group policies provide mental health benefits, and the federal Act will require that any such mental health benefits provided by large group policies be in full parity with other medical benefits.

Timothy's Law is named in memory of Timothy O'Clair, a twelve year old boy from Schenectady County who completed suicide in March 2001. Timothy's parents were unable to obtain the mental health treatment they needed for their son due to health insurance coverage limits. Timothy O'Clair would have turned 21 years old this year.

For further information, go to:

[http://www.state.ny.us/governor/press/press\\_0505092.html](http://www.state.ny.us/governor/press/press_0505092.html)

## **Assembly Passes Measure Protecting Schools from Penalties for Lost Days Due to H1N1 Virus**

The New York State Assembly passed a bill that requires the Commissioner of Education to disregard any deficiency in the number of days of session for schools with closures related to swine flu occurrences.

Under state law, schools must hold session for at least 180 days to qualify for state aid. But during the latter part of the 2008-2009 school year, several schools temporarily closed when students, teachers and staff experienced widespread flu-like symptoms

during the H1N1 flu health emergency, which was declared a pandemic by the World Health Organization.

This legislation, sponsored by Assembly Education Committee Chair Catherine Nolan, would prevent the loss of state school aid for districts that closed schools as a result of the epidemic.

For further information, go to:

<http://assembly.state.ny.us/Press/20090622a/>

## **Dignity for All Students Act Again Passes Assembly**

The Dignity for All Students Act passed the Assembly for the eighth year in a row. This measure strives to provide students with a learning environment free from discrimination. It prohibits harassment and discrimination based on race, color, weight, national origin, religion, disability, sexual orientation, gender or sex.

The bill directs school districts to develop procedures which create discrimination and harassment free schools, as well as guidelines for training personnel to respond to discrimination and harassment. The Commissioner of Education will assist by providing advice, model policies and direct services to help school districts establish policies to prevent discrimination and harassment. Incidents on school grounds or at school functions must be reported to the State Education Department annually.

As many as 65 percent of teens report having been verbally or physically harassed due to their appearance, gender, ethnicity, disability or religion.

For further information, go to:

<http://assembly.state.ny.us/Press/20090407a/>