

# Assemblyman **TOM ABINANTI**

303 South Broadway, Suite 229 • Tarrytown, New York 10591 • 914-631-1605

Email: [abinantit@assembly.state.ny.us](mailto:abinantit@assembly.state.ny.us)

WEBSITE: <http://assembly.state.ny.us/mem/Thomas-J-Abinanti>

FACEBOOK: <https://www.facebook.com/assemblymanabinanti>

TWITTER: @tomabinanti <https://twitter.com/tomabinanti>



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*Assemblyman Abinanti with Sen. Stewart-Cousins honoring veterans at the Greenburgh Veterans Day Ceremony.*



*Assemblyman Abinanti with New York City Mayor-elect Bill de Blasio at the Fall 2013 Somos el Futuro Conference.*



*Assemblyman Abinanti with various Greenburgh officials and residents at the rededication of the Memorial Garden at the Greenburgh Public Library.*

*Dear Neighbor,*

*As we approach year's end, I would like to report to you on some of what the Legislature accomplished in our 2013 legislative session and some of what I have been working on outside of the session.*

*In this newsletter, I will discuss (1) budget-related issues; (2) our efforts to bring more fairness to our communities; and (3) services for people with special needs.*

*On fiscal matters, the Assembly's approach was similar to last year. While revenues again remained stable, we continued last year's higher income tax rates for millionaires and lower tax rates for everyone else. We held the budget's growth to under 2%. We rearranged spending from the Executive Budget proposals to provide services needed by the people in our communities. We increased spending for education 4.6%, redirecting new monies to school aid and community college student aid. We made critical investments in public health. We again rejected proposals to make it more difficult for people with special needs to access health and mental health services.*

*The budget contains some disappointments which we will have to address next year. Yet, it is another responsible budget for the people of New York State.*

*If I may be of any assistance to you, please don't hesitate to contact my office.*

# People with Special Needs

People with special needs have the same rights as everyone else to an appropriate education, adequate health care, affordable housing and a good quality of life. Their differing abilities may require us to give them a little more assistance. Unfortunately, a series of state actions raises questions about the state's commitment to give that assistance. Assemblyman Abinanti has been pushing back.



*Assemblyman Abinanti with Early Intervention providers at a press conference highlighting the problems of the newly instituted Early Intervention system.*

## REPAIRING EARLY INTERVENTION

Assemblyman Abinanti has been working hard to spur the State Health Department to repair the damage to EI caused by recent Health Department actions. For twenty years, New York's EI program has been a very successful program for 0-3-year-olds with developmental disabilities to prepare them for school. EI kids have made remarkable progress, enabling many to move to regular classrooms. EI's success was due to very early diagnosis and treatment by well-trained therapists. On April 1st, the State Health Department took over the administration of EI. Since then, service providers have been buried in new paperwork and suffered long delays in payment – some still have not been paid for therapies they provided in April. Many therapists have refused new EI cases and parents can't find therapists.



*Assemblyman Abinanti being honored by the Institute of Applied Human Dynamics for his efforts on behalf of people with special needs.*

## OPWDD UNDERFUNDED

The main agency to help people with developmental disabilities – Office for People With Developmental Disabilities – has been traditionally underfunded, leaving waiting lists for needed services. The Executive Budget proposed cutting \$120 million from the monies paid to non-profit organizations that house and care for people with special needs which the Legislature unsuccessfully attempted to restore. The adopted budget cut \$90 million from the OPWDD's 2012-13 spending level. At the end of session, the Legislature succeeded in restoring this \$90 million.

## DFS REVERSES MISINTERPRETATION OF AUTISM INSURANCE LAW

Last year, the state Department of Financial Services misinterpreted the 2011 Autism Insurance Reform Law. The law was designed to require insurance companies to cover various therapies for those on the autism spectrum. The department ignored the law's plain language and allowed insurance companies to deny reimbursement for behavior therapies unless the therapist was licensed – but New York doesn't license behavioral therapists. After pressure by autism advocates and legislators, the DFS reversed its regulation.

## PRESERVING SERVICES FOR PEOPLE WITH AUTISM

Many on the autism spectrum are in danger of losing needed help. Earlier this year, a divided American Psychiatric Association replaced its Diagnostic and Statistical Manual (DSM-IV) with a new version (DSM-V). The manual serves as the primary standard for making all psychiatric diagnoses including autism spectrum disorders. The new manual's approach will make it more difficult to qualify for the autism diagnosis – thus more difficult to qualify for needed services. In June, the Assembly overwhelmingly passed Assemblyman Abinanti's legislation to require the continued use of the DSM-IV definition of autism that has been used for more than 14 years. The bill is stalled in the Senate.

## CAREER PATH FOR DIRECT SUPPORT PROFESSIONALS

Improving the skills of the people who provide services improves the quality of care for people with special needs. Both houses of the legislature approved Assemblyman Abinanti's legislation to require the Commissioner of OPWDD to develop a career path program for direct support professionals. Direct care staff need a career path based on better education, training, competency, supervision and portfolio development. The bill awaits the Governor's action.

# Budget/Taxes

The State’s 2013-14 budget was the earliest budget since 1983. Its passage marked the first time since 1984 that New York has had three consecutive on-time budgets.

The \$135.1 billion budget authorizes spending \$2.5 billion more (1.8%) than 2012-2013.

The 2013-14 budget continues the State’s focus on economic growth through a series of initiatives to create jobs and grow the economy. It provides for major education investments and a long overdue increase in the minimum wage to \$9 per hour.

The budget includes a three-year extension of the “millionaire’s tax” on the wealthiest New Yorkers and continues the lower tax rates for middle class taxpayers. The revenue from the “millionaire’s tax” extension will go towards \$350 rebate checks for middle class families with children and small business tax cuts.

## EDUCATION

The adopted budget provides \$21.2 billion in aid to public schools statewide for 2013-14 – that’s a restoration of \$436 million that the Governor’s Executive Budget proposed to cut and an increase of \$936.6 million over last year.

Working with legislators in both parties and other regions, Westchester Assemblymembers succeeded in restoring significant funding for Westchester and then added some more to insure that our schools got their fair share. 92nd Assembly district schools will receive state aid shown in the chart.



Assemblyman Abinanti with Greenburgh residents enjoying the new playground at the Greenburgh Nature Center.

## HIGHER EDUCATION

The adopted budget significantly increases aid for higher education that decreases the financial burden on community college students; preserves funding for SUNY and CUNY child care centers and SUNY health science centers; and increases aid to opportunity programs. These monies are designed to make post-high school education more accessible and affordable.

DISTRICT:	ADDITIONAL FUNDING 2013-14:	PERCENTAGE INCREASE:
Hastings-on-Hudson	\$207,892	5.35%
Dobbs Ferry	\$164,438	4.43%
Irvington	\$417,007	16.35%
Tarrytown	\$1,338,110	14.18%
Ardsley	\$456,608	8.68%
Edgemont	\$347,448	12.95%
Greenburgh	\$249,724	6.60%
Elmsford	\$300,380	16.30%
Pocantico Hills	\$144,488	15.93%
Valhalla	\$176,532	4.72%
Mt. Pleasant	\$224,708	5.16%
Pleasantville	\$509,195	9.54%
Briarcliff Manor	\$494,161	13.94%



Assemblyman Abinanti speaking with Poet’s Corner Civic Association members at Solomon Schecter in Hartsdale.

# A Fair Community

We New Yorkers believe that everyone should be treated fairly – and have an opportunity to make their lives better. We need to make those beliefs a reality. No one should be set back because of discrimination.

## Furthering women’s equality

The Assembly passed The Women’s Equality Act in its entirety. The bill, which awaits Senate action, takes significant steps to:

1. *Protect choice – a woman’s right to make medical decisions about her own body*
2. *Achieve pay equity*
3. *Stop sexual harassment in the workplace*
4. *Strengthen human trafficking laws*
5. *Better protect domestic violence victims*
6. *End housing discrimination for domestic violence victims*
7. *End family-status discrimination*
8. *Stop pregnancy discrimination*
9. *Remove barriers to remedying discrimination*
10. *Stop source-of-income discrimination*

## Protecting workers with a higher minimum wage

As part of budget negotiations, the Assembly was able to achieve one of its long-sought goals of raising the minimum wage. The current minimum hourly wage of \$7.25 will rise to \$8.00 on December 31, 2013, \$8.75 one year later, and \$9.00 in 2015.

## Protecting farmworkers

Assemblyman Abinanti co-sponsored the Farmworker Fair Labor Practices Act that passed the Assembly. The legislation grants collective bargaining rights, overtime compensation, disability benefits and a day of rest to farmworkers. The bill also ensures that farmworkers receive the same workers’ compensation, unemployment insurance and minimum wage protections as other workers. The bill is stalled in the Senate.

## Protecting farmers with GMO bill

Assemblyman Abinanti sponsored legislation that passed the Assembly to protect farmers from unfair lawsuits by giant corporate manufacturers of genetically modified seed. The bill gives farmers the legal right to raise a commonsense defense not now allowed in court: the farmer did not plant the seed! The bill is stalled in the Senate.

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*Assemblyman*  
**TOM  
ABINANTI**  
*Reports to the People*

FALL 2013

## Affordable Care Act enrollment now open

New Yorkers can sign up for affordable health insurance through the state’s new insurance marketplace. For the New York Health Benefit Exchange (including providers and rates) go to [healthbenefitexchange.ny.gov](http://healthbenefitexchange.ny.gov) or call 1-800-318-2596.

## STAR re-registration required

Homeowners who are receiving the STAR tax break must apply before December 31, 2013 to continue the exemption. STAR recipients must act or lose the exemption.

Register through the New York State Department of Taxation and Finance’s website at [www.tax.ny.gov](http://www.tax.ny.gov) or telephone 518-457-2036.