



ANDREW M. CUOMO
GOVERNOR

STATE OF NEW YORK
Justice Center Project Team
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Name

Dear :

I am writing to advise you of a new law in New York, the Protection of People with Special Needs Act (Chapter 501 of the Laws of 2012, which added Article 20 to the Executive Law and Article 11 to the Social Services Law as well as amended other laws). The Act establishes a new state agency, the Justice Center for the Protection of People with Special Needs, and creates consistent safeguards for "vulnerable persons" to protect them against abuse, neglect and other conduct that may jeopardize their health, safety and welfare. Vulnerable persons are defined by the Act as individuals who, due to physical or cognitive disabilities, or the need for services or placement, are receiving services from a facility or provider agency.

Certain provisions of the Act cover New York State residents placed or funded by a New York State agency in out-of-State residential schools and facilities. We are writing to you because your program serves such individuals. Under the Act, which becomes effective on June 30, 2013, your program will be required to immediately notify the Justice Center, the applicable New York State oversight agency, and any applicable New York State local social services district and/or local educational agency of allegations of abuse or neglect involving such New York State residents. In addition, the Act requires that an investigation be conducted by the Justice Center or the entity required by the laws of the state in which your program is located, and that the findings of such an investigation be forwarded to the Justice Center and the New York State placing entity or funding agency.

Implementation of these requirements will require cooperation between your program, the Justice Center and the state agencies that place and/or fund the New York State residents served by you. In order to initiate a discussion of how this new program will be implemented, I have enclosed copies of selected provisions of the Act which define abuse and neglect and the coverage of out-of-State residential placements under the Act. The full text of the Act can be viewed at <http://www.governor.ny.gov/Justice4SpecialNeeds/home>.

We understand that you may have questions regarding this new law and invite you to submit questions in writing by email to [Adrienne Lawston](mailto:Adrienne.Lawston). This will allow us to efficiently respond to your inquiries, as we move forward to implement the new law. Thank you.

Sincerely yours,

Jeffrey Wise
Acting Executive Director

Enclosure