



<b>Year</b>	<b>Action/Event</b>
1969	<ul style="list-style-type: none"> <li>- 17-A enacted at behest of The Arc New York families and applied only to persons with “mental retardation”</li> <li>- Bill jacket states that the enactment of this legislation was based on the assumption that the individual’s capacity would not change during their lifetime (one basic difference between 81 and 17-A now)</li> </ul>
1989	Original 17-A repealed and replaced, applicable to those with DD and “mentally retarded”
1992	Article 81 enacted – some overlap with 17-A but more costly and complicated
1999	<u>Olmstead v. L.C.</u> , US Supreme Court (held that states are generally required to provide least restrictive setting for individuals with disabilities)
2012	NYS creates Olmstead Plan Development and Implementation Cabinet to advise Governor on compliance with above decision
Oct. '13	<p>NYS Olmstead Report            Issued: <a href="http://www.governor.ny.gov/sites/governor.ny.gov/files/archive/assets/documents/olmstead-cabinet-report101013.pdf">http://www.governor.ny.gov/sites/governor.ny.gov/files/archive/assets/documents/olmstead-cabinet-report101013.pdf</a></p> <ul style="list-style-type: none"> <li>- Report identifies 17-A guardianships as one of two areas requiring legal reform</li> <li>- Stated that <u>Olmstead</u> requires that guardianship only be imposed if necessary and in the least-restrictive manner possible</li> <li>- Pointed out basis for 17-A is diagnosis drive (as opposed to functional capacity), hearings are not always required, and lack of decision-making standard for routine decisions</li> </ul>
Nov. '13	Roger Bearden (then Governor’s Olmstead Counsel) formed 17-A workgroup to work on legislative redesign of 17-A to take above issues into consideration; made up of practitioners, family member, private attorneys, PADD counsel, NYCLU counsel, MHLS, and NYSARC counsels
April 2015	OPWDD Departmental bill (based on work of 17-A workgroup) is introduced by Sen. Ortt (S.4983), but only ever 1-house bill; bill generally “supported” by Disability Rights New York
9/20 16	DRNY commences lawsuit against OCA/NYS for declaratory judgment re: 17-A constitutionality
May 2017	NYSARC’s bill introduced, A.5480/S.5842, largely the same as S.4983 but with some modifications. S.5842 passed the Senate 6/21/2017 but the A bill never left the Assembly Judiciary Committee.
June 2017	Assemblyman Lavine, the sponsor of A.5480 introduces another bill on the same topic, A.8171. Its origins are unknown. The bill seeks to amend SCPA 17-A but is substantially different from other 17-A reform bills, and NYSARC opposed it. The bill was referred to the Assembly Judiciary Committee, which referred it, but it never came to a floor vote in 2017 or 2018.



August 2017	Federal District Court abstains from hearing DRNY's lawsuit and dismisses it on the pleadings because the case could be heard in state court. DRNY appeals on 9/11/17.
2018	A.5480/S.5842 do not clear the Judiciary Committee of their respective houses. The New York State Law Revision Commission begins a review of SCPA 17-A to determine how and if it should be revised. NYSARC is not a formal part of that review.
June 2018	DRNY's appeal against the District Court's dismissal is scheduled for oral arguments on 8/16/18.