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MEMO IN SUPPORT

April 30, 2009

A.8248 P. Rivera/S.5209 Huntley. Establishes a program of tiered eligibility for services offered by OMRDD for persons with learning disabilities and other complex neurological impairments

The Learning Disabilities Association of New York State strongly supports this important legislation. A learning disability is a neurobiological disorder, meaning there are differences in brain structure and/ or function in a person who has learning disabilities. These differences lead to difficulty in learning and often to difficulties in coping with the challenges and stresses of everyday life. One in seven New Yorkers has a Learning Disability.

This very important legislation would establish a program of Tiered Eligibility for OMRDD services for persons with learning disabilities and other similar impairments. LDANYS, through its it's network of regional affiliates, has encountered increasing difficulty in serving individuals with specific learning disabilities, high functioning autism spectrum disorders, Asperger's Syndrome, and a number of other complex neurological impairments, because these individuals are increasingly deemed ineligible for state and federally funded services. All too often, these individuals' disabilities "fall through the cracks" of the established patterns of OMRDD service eligibility determinations. Unfortunately, these individuals are then left to navigate their lives and the challenges of their disabilities with minimal or no assistance. As a result they often live lives of great difficulty and vulnerability—lives that may include extended periods of incarceration, lifelong dependence on public assistance, substance abuse, and victimization, coupled with a myriad of other negative and undesirable outcomes.

The impact of learning disabilities on our society and culture is enormous. Over half of the detainees in juvenile detention facilities have a learning disability. Up to 60% of adolescents in treatment for substance abuse have learning disabilities. 48% of those with learning disabilities are out of the workforce or unemployed. 50% of females with learning disabilities will be mothers (many of them single) within 3-5 years of leaving high school. 44 percent of the TANF (welfare) population were found to have a learning disability. 31% of students with learning disabilities will be arrested 3-5 years out of high school. Establishing a system of tiered eligibility for service is therefore necessary because first and foremost it provides a resource for persons with disabilities who have no place else to turn. It is also extremely cost effective as it will lessen the burden on other safety net programs, such as income supports, substance abuse services and incarceration.

The Learning Disabilities Association of New York State therefore supports this bill, and strongly urges that it be enacted into law.