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COMMITTEE ON HEALTH, MENTAL HEALTH

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON MENTAL HEALTH,
DEVELOPMENTAL DISABILITY,
ALCOHOLISM, SUBSTANCE ABUSE AND
DISABILITY SERVICES

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March 15, 2017
Start: 12:33 p.m.
Recess: 12:55 p.m.

HELD AT: Council Chambers
250 Broadway - Committee Room,
16th Fl.

B E F O R E:
Andrew Cohen
Chairperson

COUNCIL MEMBERS:
Peter F. Vallone, Jr.
Corey Johnson
Helen Rosenthal
Joseph Borelli
Elizabeth Crowley
Barry Grodenchik

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3 CHAIRPERSON COHEN: Good afternoon. I
4 am Council Member Andrew Cohen and I am the Chair
5 of the Committee on Mental Health, Developmental
6 Disabilities, Alcoholism, Drug Abuse and Disability
7 Services. Today we will consider two items on the
8 agenda: proposed Intro 748-B and proposed Intro
9 #882-A. Both items have been amended since their
10 initial hearings. Proposed Intro 748-B, a local
11 law to amend the New York City charter in relation
12 to drug strategy, was sponsored by Council Member
13 Corey Johnson, by myself, Council Member Andrew
14 Cohen, and Council Member Vanessa Gibson. The
15 first hearing on proposed Intro 748, an earlier
16 version of the legislation, occurred on June 23,
17 2015, as a joint hearing with Public Safety
18 Committee.

19 UNIDENTIFIED FEMALE: Hang on one
20 second.

21 CHAIRPERSON COHEN: I'm sorry?

22 UNIDENTIFIED FEMALE: I am sorry.

23 [pause]

24 CHAIRPERSON COHEN: Everything is -- I
25 am going to take it from the top. Take Two. Good

2 afternoon. I am Council Member Andrew Cohen and I
3 am the Chair of the Committee on Mental Health,
4 Developmental Disabilities, Alcoholism, Substance
5 Abuse and Disability Services. Today we will
6 consider two items on the agenda: proposed Intro
7 748-B and proposed Intro 882-A. Both items have
8 been amended since their initial hearings.

9 Proposed Intro 748-B, a local law to amend the New
10 York City charter in relation to drug strategy, was
11 sponsored by Council Member Corey Johnson, by
12 myself, Council Member Andrew Cohen, and Council
13 Member Vanessa Gibson. The first hearing on
14 proposed Intro 748, an earlier version of the
15 legislation, occurred on June 23, 2015, as a joint
16 hearing with Public Safety Committee. During that
17 initial hearing, the Council heard testimony from
18 representatives of the administration, prosecutors,
19 defense attorneys, health experts and advocates.

20 The legislation would require the Mayor to
21 designate an agency or an office to prepare such
22 long and short-term plans and recommendations to
23 coordinate and effectively utilize private and
24 public resources to address the problems associated
25 with illicit and non-medical drug use and to

2 address the effects associated with past and
3 current drug policies in the city. The legislation
4 would create a Municipal Drug Strategy Advisory
5 Council to make recommendations to the head of the
6 designated agency or office concerning the
7 development of the Municipal Drug Strategy report
8 required under the provisions of this bill amongst
9 other responsibilities described in the
10 legislation. The legislation would require the
11 submission of a bi-annual report on municipal drug
12 strategy with the first report due on February 1,
13 2018. However, an addendum to the bi-annual report
14 can be produced as deemed necessary by the
15 Municipal Drug Strategy Advisory Council. Proposed
16 Intro 882-A, a local law to amend the New York City
17 charter in relation to requiring the installation
18 of adduction loop systems for certain capital
19 projects paid in whole or in part from the City's
20 treasury as requiring the publication of public
21 locations where such systems are available was
22 sponsored by Council Member Helen Rosenthal and
23 Council Member Ritchie Torres. The first hearing
24 on the original version of this bill occurred on
25 October 22, 2015. At that time, the Committee

2 heard from the Mayor's Office of People with
3 Disabilities on behalf of the administration,
4 advocates and other interested persons. Hearing
5 loop or induction loop systems are a type of
6 assisted listening device. The National Institute
7 on Deafness and Other Communication Disorders
8 defines an assisted device as any device that helps
9 a person with hearing loss or a voice, speech or
10 language disorder to communicate. Assisted
11 Listening Devices, ALDs, are systems that amplify
12 sounds for individuals particularly where there is
13 a distractive background noise to allow them to
14 more clearly hear and understand what is being said
15 in their setting. Several types of ALDs are
16 available and so designing depending on the size of
17 the location in which they will be used and the
18 nature of the communication. In large facilities,
19 ALD systems may include hearing loops, frequency
20 modulated FM systems and infrared systems. All
21 ALDs may be used with or without hearing aids or a
22 cochlear implant. The legislation before the
23 Committee was drafted to apply to certain capital
24 projects with an estimated baseline construction
25 cost of \$950,000 or more involving the construction

2 or reconstruction of one or more assembly areas
3 which shall be designed and constructed to include
4 at least one assembly area. The installation of an
5 induction loop assisted listening system or an
6 alternative listening system, has been determined
7 by the Mayor to be significantly more effective for
8 the hard of hearing than an inductive loop system.
9 Under the provision, the legislation would apply to
10 certain capital projects filed with the Department
11 of Buildings on or after January 1, 2018. The bill
12 provides for circumstances for which exemptions to
13 the mandated provision may occur. The legislation
14 will also require every security information or
15 reception desk used for the checking-in or
16 screening of people attending a meeting or event
17 held in a looped assembly area to be equipped with
18 micro loops. Further, directional signage would be
19 required to provide guidance to an assisted
20 listening assembly area in accordance with the
21 bill's provisions along with the appropriate symbol
22 of access for hearing loss and other accessibility
23 symbols. In addition, the legislation would
24 require the Mayor or an office designated by the
25 Mayor to post on its website a list containing the

2 location of facilities with assisted listened
3 systems at city owned or operated facilities
4 including the cost associated with the installation
5 of the new system. Such lists will be required to
6 updated annually. Proposed Intro 882 in no way
7 attempts to reduce the City's obligation under the
8 ADA to provide effective communication for people
9 who are hard of hearing or comply with the
10 requirements of the ADA. Guidelines are triggered
11 when the City does new construction or renovates an
12 existing building. The ADA does not dictate what
13 type of assisted listening systems must be used to
14 provide accessibility. The bill reflects the
15 policy that the City should choose a loop system
16 when the conditions in the bill are met. The bill
17 also provides exemptions from their requirements to
18 install a loop system under certain circumstances.
19 These are only exemptions as to the requirement to
20 choose a loop system. They do not and could not
21 exempt the City from any obligation to comply with
22 the ADA. The exemption would simply allow the
23 agency performing construction or renovation to use
24 another type of assisted living system in
25 circumstances where the ADA requires an assisted

2 listening system to be installed. I will now ask
3 the sponsor of the legislation to say a few words.
4 Council Member Johnson?

5 COUNCIL MEMBER JOHNSON: Good
6 afternoon, Chair Cohen and Committee Members.
7 Thank you very much for giving me the opportunity
8 to discuss Introduction 748 which would require the
9 creation of a drug strategy plan for the City of
10 New York. The Mayor and First Lady have been
11 tremendous leaders in combatting the stigma
12 associated with drug use and responding to the
13 opioid epidemic that is sweeping this nation and
14 that is forcing many people to reevaluate the
15 communities struck by illicit and non-medical drug
16 use. Together, this administration and the
17 Council, have already taken steps to acknowledge
18 and respond to this crisis. From the increase in
19 officers armed with Naloxone to the Mayor's
20 unveiling of his Healing NYC Plan. Given the depth
21 of this crisis, it is clear that we need to go
22 further in reducing the personal and societal harm
23 of drug use and drug policy. Introduction 748
24 would establish procedures for a drug strategy plan
25 at any agency and advocate coordination to most

2 effectively combat the epidemic with a focus on
3 refining the City's drug policy so they can address
4 the mortality and mental health fallout from this
5 intense epidemic and eliminate barriers for
6 reintegrating individuals and communities most
7 ravaged by its effects and prior responses. This
8 process would emphasize aiding those struggling
9 with drug habits by promoting public health and
10 science rather than letting politics and stigma
11 stand in the way to people's access to care. It
12 would spearhead evidence based drug education and
13 public health intervention efforts, enhance the
14 availability of medical, psychological and social
15 services to those struggling with drug use and it
16 would analyze health, social and economic problems
17 rooted in drug policy. As we know, the
18 psychological services component of treating those
19 who are recovering from substance use disorders is
20 often lacking and we need to revamp these efforts.
21 Such coordinated -- that's a little distracting.

22 UNIDENTIFIED FEMALE: Sorry. With
23 apologies.

24 COUNCIL MEMBER JOHNSON: Can we take it
25 outside?

2 UNIDENTIFIED FEMALE: It's complicated.

3 COUNCIL MEMBER JOHNSON: Okay. Such
4 coordinated municipal drug strategies have proven
5 successful in large cities across Canada and
6 Europe. New York City now has the opportunity to
7 be at the national forefront of creating real
8 change in the way we approach drug strategy. Too
9 many lives have been lost and harm by aggressive
10 policies. It is time to proactively set out to
11 change this by emphasizing harm reduction and our
12 response, as the Chair said in his opening remarks,
13 we have been waiting for quite some time, almost
14 two years to move this bill. I am grateful to my
15 Deputy Chief of Staff, Lewis (??) and especially to
16 (??) Nasser who has been working on this for almost
17 two years in trying to get this moving so thank you
18 all very much and I ask my colleagues to please
19 vote in favor of this legislation. Thank you, Mr.
20 Chair.

21 CHAIRPERSON COHEN: Council Member
22 Rosenthal, would you care to say a few words?

23 COUNCIL MEMEBR ROSENTHAL: Are you
24 going to bundle them? Can you do them separately?
25 No?

2 CHAIRPERSON COHEN: Yes, we are going
3 to vote once.

4 COUNCIL MEMBER ROSENTHAL: Great.
5 Thank you very much. I want to thank the Mayor's
6 Office of People with Disabilities for providing
7 the cart services today. So I want to start with
8 that. That is incredibly important that we do that
9 and move toward doing that on a regular basis. The
10 Council will pass legislation tomorrow Intro 882-A
11 requiring that public assembly areas constructed or
12 renovated using city dollars install hearing loop
13 technology for those with hearing loss. This is a
14 major step forward for both accessibility and civic
15 engagement, two issues that are near and dear to my
16 heart, and as far as we know New York City is the
17 first major municipality in the country to enact
18 such legislation. A hearing loop, also known as an
19 induction loop, is a wire that loops a room and is
20 connected to a sound system. The loop transmits
21 sound electromagnetically to telecoils in the
22 hearing aids in cochlear implants enabling
23 background noise and providing a dramatically
24 clearer signal to the wearer. Intro 882-A requires
25 the installation of hearing loops systems in city

2 funding capital projects with one or more public
3 assembly areas. This legislation applies to both
4 new construction in renovation projects with an
5 estimated construction cost of \$958,000 or more.
6 Under the City's current capital plans that would
7 mean an estimated close to 300 projects would be
8 required to be looped, will be required to be
9 looped across New York City going forward. By
10 requiring their installation, this legislation will
11 enable tens of thousands of New Yorkers to fully
12 participate in public hearings and meetings.
13 According to the hearing loss association of
14 America, about 20 percent of Americans reports some
15 degree of hearing loss. This bill, as the Chair
16 mentioned, also requires that security information
17 and reception desks in any of the newly looped
18 assembly areas be accessible to those with hearing
19 loss by a micro-loops, directional signage for all
20 public areas with hearing loops technology as
21 mandated as well. By July 2018, the Mayor's office
22 will be required to post an online list of City
23 managed assembly areas with hearing loops including
24 those slated to receive them and this list will be
25 updated annually. I just want to -- and of course

2 I want to thank (??) Nasser and Nicole (??) for
3 their extraordinary work on this legislation and
4 moving it forward and finding ways to make this
5 legislation work. I am deeply appreciative. You
6 know, the advocates in this area are exceptional
7 and they do the hard work of speaking up for so
8 many who I think for years have been
9 disenfranchised and I want to thank them for that.
10 I know some today had hoped to bring and give
11 testimony and with apologies that's not something
12 that is usually at a second hearing like this but
13 those -- that testimony will be part of the record;
14 is that right?

15 CHAIRPERSON COHEN: We will accept
16 testimony if people have written testimony.

17 COUNCIL MEMBER ROSENTHAL: Great. SO
18 that testimony will absolutely will be part of the
19 record and I appreciate that. I need to add one
20 more part that is just critical and that is that,
21 you know, the door, the, -- our job is not done.
22 There is still more work to be done and I believe
23 and I want to thank my staff, Sean Fitzpatrick, my
24 Legislative Director, who is working closely with
25 the advocates to make sure that we move forward to

2 improve 882-A with subsequent legislation
3 expeditiously and I am so grateful again to all of
4 the advocates for making this possible and again to
5 the Mayor's Office of People with Disabilities for
6 making sure we had cart today. You know, the
7 technology is a miracle and when it works right, it
8 is a game changer and, you know, under this
9 administration I think we have made extraordinary
10 steps and I thank the administration for that, I
11 thank the advocates for their hard work and I think
12 we all have a lot to be proud of. Thank you very
13 much, Chair.

14 CHAIRPERSON COHEN: Thank you, Council
15 Member Rosenthal. I just, for the record, want to
16 acknowledge that we have been joined by Council
17 Member Vallone, Johnson, Crowley, Rosenthal,
18 Grodenchik, Borelli and the Clerk. With that, I am
19 going to ask the Clerk to call the roll on Intro
20 #748-B and Intro #882-A.

21 CLERK: William Martin, Committee
22 Clerk, roll call vote, Committee on Mental Health.
23 Chair Cohen?

24 CHAIRPERSON COHEN: I vote aye on all.

25 CLERK: Crowely?

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2 COUNCIL MEMBER CROWLEY: I vote aye.

3 CLERK: Johnson?

4 COUNCIL MEMBER JOHNSON: I vote aye on
5 all.

6 CLERK: Vallone?

7 COUNCIL MEMBER VALLONE: I vote aye on
8 all. [Inaudible, 00:19:14].

9 CLERK: Grodenchik?

10 COUNCIL MEMBER GRODENCHIK: I vote aye.

11 I want the record to show I was here at noon
12 though.

13 [laughter]

14 CLERK: Borelli?

15 COUNCIL MEMBER BORELLI: Aye on all
16 please.

17 CLERK: By a vote of 6 in the
18 affirmative, 0 in the negative, and no abstentions,
19 both items have been adopted by the Committee.

20 CHAIRPERSON COHEN: I would like the
21 record to reflect that Council Member Greenfield
22 could get Land Use on time, we would have had the
23 room free.

24 [cross talk]

25

2 CHAIRPERSON COHEN: And with that, this
3 concludes the hearing -- the conclusion of the
4 Mental Health Hearing. Thank you very much
5 everybody.

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11 [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Date March 27, 2017