



ANGELO SANTABARBARA, PE
Assemblyman 111th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Committee on
People with Disabilities
COMMITTEES
Energy
Governmental Employees
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Racing and Wagering

September 2nd, 2026

The Honorable Willow Baer
Commissioner
New York State Office for People With Developmental Disabilities
44 Holland Avenue
Albany, NY 12229

Dear Commissioner Baer:

I am writing to follow up on my previous request that the Office for People With Developmental Disabilities review New York's disability-rights protections following the U.S. Department of Justice's June 18th legal opinion concerning community integration.

There has now been a significant new development.

On August 31st, the U.S. Department of Justice, on behalf of the U.S. Department of Health and Human Services, along with Texas, Florida and Alaska, filed a proposed resolution in *Texas v. Kennedy*. The proposal asks the federal court to vacate references to community integration throughout HHS regulations implementing Section 504 of the Rehabilitation Act, including the entire integration provision.

National disability-rights organizations have strongly condemned this action and raised concerns about what it could mean for disability rights, autonomy and community integration.

As Chair of the Assembly Committee on People with Disabilities, I am asking OPWDD to include this latest federal court action in the review I previously requested and assess:

- whether the August 31st filing creates additional legal or policy risks for New Yorkers with disabilities who rely on community-based services;
- whether New York's existing laws, regulations and policies provide sufficient protections if federal community-integration requirements are weakened; and
- whether there are gaps in those protections that may require additional state action.

The proposed resolution does not itself change the ADA or Section 504. However, the federal government's decision to seek removal of these regulatory community-integration protections makes it even more important that New York understand what protections are in place at the state level and where additional safeguards may be necessary. The national organizations' statement confirms both points.

We have spent decades expanding choice, independence and opportunity for people with disabilities. We have come too far to go backward. New York should be prepared to protect that progress regardless of what happens at the federal level.

I appreciate your attention to this matter and look forward to receiving OPWDD's assessment of this latest development.

Sincerely,

A handwritten signature in black ink, appearing to read "Angelo Santabarbara". The signature is fluid and cursive, with a large loop at the end.

Angelo Santabarbara, PE

Member of the New York State Assembly

111th District | Representing areas of Montgomery & Schenectady Counties