# STATE OF NEW YORK

10322--A

# IN ASSEMBLY

February 20, 2026

Introduced by M. of A. SANTABARBARA -- read once and referred to the Committee on People with Disabilities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to residential transition conferences and the placement of persons with developmental disabilities

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. The mental hygiene law is amended by adding a new section 16.39 to read as follows:

**§ 16.39 Residential transition conferences.**

**(a) For the purposes of this section, "covered operator" shall mean any holder of an operating certificate issued pursuant to this article that provides residential services, any organization providing residential services whose incorporation or activities require the approval of the commissioner, or any program funded or administered by the office that provides residential services.**

**(b) It shall be the duty of every covered operator to provide written notice of pending placement to interested parties, in accordance with guidelines promulgated by the office. Interested parties shall include, but not be limited to:**

**(1) the covered operator who currently serves a person with developmental disabilities;**

**(2) the covered operator who will serve such person with developmental disabilities after the transition;**

**(3) the person with developmental disabilities who is entering or leaving such residential program;**

**(4) the person with developmental disabilities' family, unless such person objects to their family's attendance;**

**(5) the person with developmental disabilities' guardian or legal representative; and**

**(6) the person with developmental disabilities' care manager.**

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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**(c) (1) The purpose of the written notice shall be to provide interested parties with sufficient information about the proposed placement, reason for the placement, information about scheduling or declining a residential transition conference, the process for responding to the notice, and any other relevant information as determined by the office and the covered operator.**

**(2) A residential transition conference shall be held between the interested parties after notice has been given of the proposed placement to discuss the proposal.**

**(3) The office may establish rules and regulations for the provision of written notice to interested parties and the administration of a residential transition conference, including that such conference may take place virtually or over the phone.**

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment, and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.