

2972--A

2015-2016 Regular Sessions

I N S E N A T E

January 30, 2015

Introduced by Sens. YOUNG, FUNKE, GALLIVAN, KENNEDY, ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities -- recommitted to the Committee on Mental Health and Developmental Disabilities in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to integrated housing for individuals with developmental disabilities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The mental hygiene law is amended by adding a new section
2 13.43 to read as follows:
3 S 13.43 INTEGRATED HOUSING PLAN.
4 (A) THE COMMISSIONER, IN CONSULTATION WITH THE DEVELOPMENTAL DISABILI-
5 TIES ADVISORY COUNCIL, THE DEPARTMENT OF HEALTH, THE DIVISION OF HOUSING
6 AND COMMUNITY RENEWAL, THE MOST INTEGRATED SETTINGS COORDINATING COUNCIL
7 AND OTHER AGENCIES AS DETERMINED APPROPRIATE BY THE COMMISSIONER, SHALL
8 ESTABLISH A PLAN TO INCREASE HOUSING OPPORTUNITIES FOR PEOPLE WITH
9 DEVELOPMENTAL DISABILITIES. THE PLAN SHALL INCLUDE, BUT NOT BE LIMITED
10 TO:
11 (1) THE CREATION AND MAINTENANCE OF AN INVENTORY OF AFFORDABLE AND
12 ACCESSIBLE RENTAL UNITS FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES;
13 AND
14 (2) IDENTIFICATION OF STRATEGIES TO FACILITATE INDIVIDUALS RECEIVING
15 OR ELIGIBLE FOR HOME AND COMMUNITY BASED (HCBS) WAIVERS TO LIVE IN THEIR
16 OWN HOME, LEASED APARTMENT OR FAMILY'S HOME, WHEN SUCH A PLACEMENT IS
17 THEIR INFORMED CHOICE AND THE MOST INTEGRATED SETTING APPROPRIATE TO
18 THEIR NEEDS. ANY SUCH STRATEGIES AT A MINIMUM SHALL ADDRESS:
19 (I) FACILITATING OPPORTUNITIES FOR INDIVIDUALS WITH DEVELOPMENTAL
20 DISABILITIES, INCLUDING STUDENTS TRANSITIONING FROM EDUCATIONAL PROGRAMS

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

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1 TO LIVE INDEPENDENTLY IN THEIR OWN HOME OR APARTMENT AND AWAY FROM THEIR
2 PARENTAL HOME;

3 (II) INCREASING THE STOCK OF AFFORDABLE AND ACCESSIBLE RENTAL UNITS
4 FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES;

5 (III) INCREASING AND EXPANDING ACCESS TO RENTAL SUBSIDIES FOR INDIVID-
6 UALS WITH DEVELOPMENTAL DISABILITIES;

7 (IV) BUILDING UNDERSTANDING AND AWARENESS OF INFORMED CHOICES FOR
8 INDEPENDENT LIVING AMONG INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES,
9 FAMILIES, PUBLIC AND PRIVATE ORGANIZATIONS, DEVELOPERS AND MEDICAID
10 SERVICE COORDINATORS;

11 (V) REVIEWING AND EVALUATING POTENTIAL FEDERAL AND STATE POLICY CHANG-
12 ES THAT WILL FACILITATE INCREASED ACCESS AND AVAILABILITY OF SERVICES
13 AND SUPPORTS THAT PERMIT INDIVIDUALS TO CHOOSE MORE INDEPENDENT LIVING
14 OPTIONS; AND

15 (VI) ASSESSING AND ADVANCING COORDINATED PLAN IMPLEMENTATION.

16 (B) THE COMMISSIONER, IN CONSULTATION WITH THE DEVELOPMENTAL DISABILI-
17 TIES ADVISORY COUNCIL, THE DEPARTMENT OF HEALTH, THE DIVISION OF HOUSING
18 AND COMMUNITY RENEWAL, THE MOST INTEGRATED SETTINGS COORDINATING COUNCIL
19 AND OTHER AGENCIES AS DETERMINED APPROPRIATE BY THE COMMISSIONER, SHALL
20 DEVELOP THE PLAN WITH INPUT FROM STAKEHOLDERS, INCLUDING INDIVIDUALS
21 WITH DEVELOPMENTAL DISABILITIES, PARENTS AND GUARDIANS OF INDIVIDUALS
22 WITH DEVELOPMENTAL DISABILITIES, ADVOCATES AND PROVIDERS OF SERVICES FOR
23 INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES, SUCH PLAN MAY INCLUDE THE
24 HOUSING TRANSFORMATION GOAL AND STRATEGIES IDENTIFIED IN THE OFFICE'S
25 COST CONTAINMENT STRATEGY, SUBMITTED TO THE FEDERAL CENTERS FOR MEDICARE
26 AND MEDICAID SERVICES, DATED JUNE FIRST, TWO THOUSAND THIRTEEN, AND ANY
27 REQUIRED UPDATES THEREOF SUBMITTED TO SUCH CENTERS THEREAFTER.

28 (C) THE PLAN REQUIRED PURSUANT TO THIS SECTION SHALL BE DEVELOPED AND
29 SUBMITTED TO THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE
30 ASSEMBLY AND THE CHAIRS OF APPROPRIATE SENATE AND ASSEMBLY STANDING
31 COMMITTEES, AND POSTED ON THE WEBSITE OF THE OFFICE ON OR BEFORE APRIL
32 FIRST, TWO THOUSAND SEVENTEEN. SUCH PLAN SHALL BE REASSESSED AND UPDATED
33 AT LEAST ANNUALLY THEREAFTER, ON OR BEFORE THE THIRTY-FIRST DAY OF JANU-
34 ARY, TO ENSURE RESPONSIVENESS TO CHANGING NEEDS AND GOALS, TO REFLECT
35 THE DEVELOPMENT OF NEW INFORMATION, AND TO REFLECT ACHIEVEMENT OF HOUS-
36 ING TRANSFORMATION GOALS, EVALUATION OF SUCCESSFUL INTEGRATED HOUSING
37 STRATEGIES AND MILESTONES TO MEET INTEGRATED HOUSING GOALS. SUCH UPDATED
38 PLAN SHALL BE POSTED ON THE WEBSITE OF THE OFFICE, AND SUBMITTED TO THE
39 TEMPORARY PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY.

40 S 2. This act shall take effect immediately.