

7889

I N S E N A T E

May 20, 2016

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to directing the commissioner of mental health to issue a review and report regarding certain facilities

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

1 Section 1. Section 5.05 of the mental hygiene law is amended by adding
2 a new subdivision (f) to read as follows:
3 (F) (1) THE COMMISSIONERS OF THE OFFICE OF MENTAL HEALTH, THE OFFICE
4 FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES AND THE OFFICE OF ALCOHOLISM
5 AND SUBSTANCE ABUSE SERVICES SHALL, IN COLLABORATION WITH THE COMMIS-
6 SIONER OF THE NEW YORK CITY DEPARTMENT OF HOMELESS SERVICES AND THE
7 CHAIR AND CHIEF EXECUTIVE OFFICER OF THE NEW YORK CITY HOUSING AUTHORI-
8 TY, REVIEW ALL PROPOSALS BY AN AGENCY REQUESTING TO ENTER INTO A
9 CONTRACT OR SIMILAR AGREEMENT TO PROVIDE SERVICES AT A NEW LOCATION AS A
10 SOCIAL SERVICES FACILITY, TO EXPAND THE SIZE OF A SOCIAL SERVICES FACIL-
11 ITY, OR TO CHANGE THE TYPE OF SERVICES PROVIDED AT A SOCIAL SERVICES
12 FACILITY, WITHIN A CITY WITH A POPULATION OF ONE MILLION OR MORE.
13 (2) FOR THE PURPOSE OF THIS SUBDIVISION, A "SOCIAL SERVICES FACILITY"
14 SHALL INCLUDE THE FOLLOWING:
15 A. ACS PLACEMENT FACILITIES. "ACS PLACEMENT FACILITIES" MEANS FACILI-
16 TIES, CERTIFIED BY THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY
17 SERVICES, FOR THE CARE OF YOUTH PLACED IN ACCORDANCE WITH THE PROVISIONS
18 OF THE FAMILY COURT ACT AND THE REGULATIONS OF THE NEW YORK STATE OFFICE
19 OF CHILDREN AND FAMILY SERVICES, MANAGED DIRECTLY BY THE ADMINISTRATION
20 FOR CHILDREN'S SERVICES OR UNDER CONTRACT OR SIMILAR AGREEMENT WITH THE
21 ADMINISTRATION FOR CHILDREN'S SERVICES.
22 B. CITY-ADMINISTERED FACILITIES, "CITY-ADMINISTERED FACILITIES" MEANS
23 HOTELS, SHELTERS AND OTHER ACCOMMODATIONS OR ASSOCIATED SERVICES,
24 MANAGED BY OR PROVIDED UNDER CONTRACT OR SIMILAR AGREEMENT WITH ANY CITY
25 AGENCY, PROVIDED TO INDIVIDUALS OR FAMILIES WHO NEED TEMPORARY EMERGENCY
26 HOUSING OR ASSISTANCE FINDING OR MAINTAINING STABLE HOUSING.

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

LBD15483-02-6

1 C. DHS-ADMINISTERED FACILITIES. "DHS-ADMINISTERED FACILITIES" MEANS
2 CITY-ADMINISTERED FACILITIES MANAGED DIRECTLY BY THE DEPARTMENT OF HOME-
3 LESS SERVICES OR BY A PROVIDER UNDER CONTRACT OR SIMILAR AGREEMENT WITH
4 THE DEPARTMENT OF HOMELESS SERVICES.

5 D. DYCD-ADMINISTERED FACILITIES. "DYCD-ADMINISTERED FACILITIES" MEANS
6 CITY-ADMINISTERED FACILITIES MANAGED DIRECTLY BY THE DEPARTMENT OF YOUTH
7 AND COMMUNITY DEVELOPMENT OR BY A PROVIDER UNDER CONTRACT OR SIMILAR
8 AGREEMENT WITH THE DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT.

9 E. HPD-ADMINISTERED FACILITIES. "HPD-ADMINISTERED FACILITIES" MEANS
10 CITY-ADMINISTERED FACILITIES MANAGED DIRECTLY BY THE DEPARTMENT OF HOUS-
11 ING PRESERVATION AND DEVELOPMENT OR BY A PROVIDER UNDER CONTRACT OR
12 SIMILAR AGREEMENT WITH THE DEPARTMENT OF HOUSING PRESERVATION AND DEVEL-
13 OPMENT.

14 F. HRA-ADMINISTERED FACILITIES. "HRA-ADMINISTERED FACILITIES" MEANS
15 CITY-ADMINISTERED FACILITIES MANAGED DIRECTLY BY THE HUMAN RESOURCES
16 ADMINISTRATION OR BY A PROVIDER UNDER CONTRACT OR SIMILAR AGREEMENT WITH
17 THE HUMAN RESOURCES ADMINISTRATION, EXCLUDING SHELTERS FOR VICTIMS OF
18 DOMESTIC VIOLENCE MANAGED DIRECTLY BY THE HUMAN RESOURCES ADMINISTRATION
19 OR BY A PROVIDER UNDER CONTRACT OR SIMILAR AGREEMENT WITH THE HUMAN
20 RESOURCES ADMINISTRATION.

21 G. SUPPORTIVE HOUSING FACILITIES. "SUPPORTIVE HOUSING FACILITIES"
22 MEANS AFFORDABLE, INDEPENDENT, AND PERMANENT HOUSING WITH SUPPORT
23 SERVICES FOR TENANTS, INCLUDING BUT NOT LIMITED TO PEOPLE WHO HAVE BEEN
24 HOMELESS, HAVE HISTORIES OF SUBSTANCE ABUSE, ARE COPING WITH MENTAL
25 ILLNESS, HAVE CHRONIC ILLNESSES SUCH AS HIV/AIDS, ARE YOUNG ADULTS AGING
26 OUT OF FOSTER CARE, ARE HOMELESS VETERANS, OR GRANDPARENTS RAISING
27 GRANDCHILDREN, AND IS UNDER CONTRACT WITH A CITY AGENCY INCLUDING BUT
28 NOT LIMITED TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE HUMAN
29 RESOURCES ADMINISTRATION.

30 (3) WITHIN NINETY DAYS OF THE COMPLETION OF A REVIEW CONDUCTED PURSU-
31 ANT TO PARAGRAPH ONE OF THIS SUBDIVISION, THE COMMISSIONERS OF THE
32 OFFICE OF MENTAL HEALTH, THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISA-
33 BILITIES AND THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
34 SHALL, IN COLLABORATION WITH THE COMMISSIONER OF THE NEW YORK CITY
35 DEPARTMENT OF HOMELESS SERVICES AND THE CHAIR AND CHIEF EXECUTIVE OFFI-
36 CER OF THE NEW YORK CITY HOUSING AUTHORITY, DELIVER A COPY OF THEIR
37 FINDINGS, AND ANY LEGISLATIVE RECOMMENDATIONS THEY DEEM TO BE NECESSARY
38 TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF
39 THE ASSEMBLY, THE CHAIR OF THE MENTAL HEALTH AND DEVELOPMENTAL DISABILI-
40 TIES COMMITTEE OF THE SENATE, AND THE CHAIR OF THE MENTAL HEALTH COMMIT-
41 TEE OF THE ASSEMBLY.

42 S 2. This act shall take effect immediately.