

# STATE OF NEW YORK

5637--A

Cal. No. 878

2019-2020 Regular Sessions

## IN SENATE

May 9, 2019

Introduced by Sen. CARLUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to create a temporary commission relating to the office of mental health housing programs

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

1 Section 1. 1. A temporary state commission, to be known as the "office  
2 of mental health housing program evaluation commission" (hereinafter  
3 referred to as the "commission") is hereby created to make determi-  
4 nations and recommendations on the following:  
5 a. The number of and total quarterly occupancy levels for scattered  
6 site supportive housing, licensed community residences, licensed treat-  
7 ment apartments, and all other supportive housing (hereinafter referred  
8 to as "the programs"), under the auspice of the office of mental health  
9 by county over the last five years as well as each program's funding  
10 levels on an annual basis, over the last five years. Such information  
11 shall be utilized to: (i) determine the impact of changes in funding  
12 levels, if any, (ii) determine if there are varying funding levels with-  
13 in the same programs in the same counties, the rationale therefor, and  
14 the impact of such variances, and (iii) determine, with the information  
15 from paragraph b of this subdivision, the adequacy of funding levels by  
16 program.  
17 b. For each program by county, a sampling of clients' acuity and their  
18 needs and the programs' current staffing models. Such information shall  
19 be used to analyze the impact on the quality of care the programs are  
20 mandated and able to deliver and whether there is a need for additional,  
21 different and/or credentialed/licensed staff in the programs.

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

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1 c. For each program and by county, the programs' and/or the mental  
2 health system's ability to meet the needs, as determined in paragraph b  
3 of this subdivision, of the clients.

4 2. The commission shall consist of nine members as follows: two  
5 members shall be appointed by the speaker of the assembly; two members  
6 shall be appointed by the temporary president of the senate; one member  
7 shall be appointed by the minority leader of the senate; one member  
8 shall be appointed by the minority leader of the assembly; and three  
9 members shall be appointed by the governor, one of whom shall be desig-  
10 nated as the chair of the commission. Members so appointed shall  
11 include adequate representation of resident advocates, family members of  
12 residents, program provider organizations, licensed mental health  
13 professionals and related health care professionals.

14 3. The members of the commission shall receive no compensation for  
15 their services, but shall be allowed their actual and necessary expenses  
16 incurred in the performance of their duties hereunder.

17 4. The commission shall make a report of its findings, including any  
18 recommendations for legislative action as it may deem necessary and  
19 appropriate, to the governor and the legislature no later than October  
20 1, 2020.

21 § 2. This act shall take effect immediately.