

# STATE OF NEW YORK

8871

## IN SENATE

August 3, 2020

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public health law, in relation to including senior citizens as vulnerable populations eligible for supportive housing programs

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

1 Section 1. Section 2823 of the public health law, as added by section  
2 1 of part D of chapter 56 of the laws of 2012, is amended to read as  
3 follows:

4 § 2823. Supportive housing development program. 1. For the purposes of  
5 this section "eligible applicant" shall mean (a) a unit of local govern-  
6 ment, or (b) a not-for-profit corporation that has been in existence for  
7 a period of at least one year prior to application and has been engaged  
8 in supportive housing programs for vulnerable populations, such as  
9 senior citizens. Senior citizens shall be defined in this section to  
10 mean any person sixty-two years of age or older.

11 2. Grants provided pursuant to this section shall be used only to fund  
12 housing development activities and other general programmatic activities  
13 to help ensure a stable system of supportive housing for vulnerable  
14 persons, including senior citizens, in the community. Reinvestment funds  
15 for supportive housing for vulnerable populations, such as senior citi-  
16 zens, which are general fund savings directly related to inpatient  
17 hospital and nursing home bed decertification and/or facility closure,  
18 shall be allocated annually by the commissioner based upon the following  
19 criteria:

20 (a) the efficiency and effectiveness of the use of funding for the  
21 development of adequate and accessible housing to support vulnerable  
22 persons, such as senior citizens, in the community and to ensure access  
23 to supports necessary to maximize expected outcomes; and

24 (b) other relevant factors relating to the maintenance of existing  
25 supportive housing and the development of new supportive housing and  
26 associated services.

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

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1 3. The commissioner shall establish an application process by which  
2 eligible applicants may apply for a grant under this section. The appli-  
3 cation shall include:

4 (a) the geographic area in which the housing/services shall be  
5 provided;

6 (b) a detailed description of the housing/services to be provided;

7 (c) a plan for the efficient and effective use of funding for the  
8 development of adequate and accessible housing to support vulnerable  
9 persons, including senior citizens, in the community;

10 (d) other relevant factors relating to the need for maintenance of  
11 existing supportive housing and the development of new supportive hous-  
12 ing and associated services; and

13 (e) any other information that the commissioner deems relevant and  
14 appropriate.

15 4. Grantees under this section shall file an annual report with the  
16 commissioner, in such form and with such information and data as the  
17 commissioner prescribes detailing the expenditure of grant funds. In  
18 addition, the commissioner is authorized and empowered to make  
19 inspections and examine records of any entity funded pursuant to subdi-  
20 vision two of this section. Such examination shall include all medical,  
21 service and financial records, receipts, disbursements, contracts, loans  
22 and other moneys relating to the financial operation of the provider.

23 5. The amount of supportive housing development reinvestment funds for  
24 the department shall be subject to annual appropriation. The methodol-  
25 ogies used to calculate the savings shall be developed by the commis-  
26 sioner and the director of the budget. In no event shall the full annual  
27 value of supportive housing development reinvestment programs attribut-  
28 able to inpatient hospital and nursing home bed decertification and/or  
29 facility closure exceed the twelve month value of the department of  
30 health general fund reductions resulting from such decertification  
31 and/or facility closure.

32 6. The annual supportive housing development reinvestment appropri-  
33 ation shall reflect a proportion of the amount of general fund savings  
34 resulting from subdivision five of this section. Within any fiscal year  
35 where appropriation increases are recommended for the supportive housing  
36 development reinvestment program, insofar as projected bed decertif-  
37 ication and/or facility closures do not occur as estimated, and general  
38 fund savings do not result, then the reinvestment appropriations may be  
39 reduced in the next year's annual budget itemization.

40 7. No provision in this section shall create or be deemed to create  
41 any right, interest or entitlement to services or funds that are subject  
42 to this section, or to any other services or funds, whether to individ-  
43 uals, localities, providers or others, individually or collectively.

44 8. The commissioner shall promulgate regulations, and may promulgate  
45 emergency regulations, to effectuate the provisions of this section.

46 § 2. This act shall take effect immediately.