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:

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

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

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

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

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

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

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

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

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

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

(d) other relevant factors relating to the need for maintenance of existing supportive housing and the development of new supportive housing and associated services; and

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

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

5. The amount of supportive housing development reinvestment funds for the department shall be subject to annual appropriation. The methodologies used to calculate the savings shall be developed by the commissioner and the director of the budget. In no event shall the full annual value of supportive housing development reinvestment programs attributable to inpatient hospital and nursing home bed decertification and/or facility closure exceed the twelve month value of the department of health general fund reductions resulting from such decertification and/or facility closure.

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

7. No provision in this section shall create or be deemed to create any right, interest or entitlement to services or funds that are subject to this section, or to any other services or funds, whether to individuals, localities, providers or others, individually or collectively.

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

§ 2. This act shall take effect immediately.