

# STATE OF NEW YORK

2384

2019-2020 Regular Sessions

## IN SENATE

January 24, 2019

Introduced by Sens. COMRIE, ADDABBO -- 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 Assem-  
bly, do enact as follows:

Section 1. Section 5.05 of the mental hygiene law is amended by adding  
a new subdivision (f) to read as follows:

(f) (1) The commissioners of the office of mental health, the office  
for people with developmental disabilities and the office of alcoholism  
and substance abuse services shall, in collaboration with the commis-  
sioner of the New York city department of homeless services and the  
chair and chief executive officer of the New York city housing authori-  
ty, review and issue a report concerning all proposals by an agency  
requesting to:

a. enter into contract or similar agreement to provide services at a  
new location as a social services facility; and

b. to expand the size and/or change the type of services offered of a  
social services facility, within a city with a population of one million  
or more.

(2) The review and report shall focus on the following factors,  
including, without limitation:

a. The proposed impact in the affected community.

b. The current level and concentration of all social services facili-  
ties in the affected area.

c. The cumulative effect thereof; and specific suggestions, modifica-  
tion and objections as expressed by the affected community.

(3) For the purpose of this subdivision, a "social services facility"  
shall include the following:

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

LBD02907-01-9

1 a. ACS placement facilities. "ACS placement facilities" means facili-  
2 ties, certified by the New York state office of children and family  
3 services, for the care of youth placed in accordance with the provisions  
4 of the family court act and the regulations of the New York state office  
5 of children and family services, managed directly by the administration  
6 for children's services or under contract or similar agreement with the  
7 administration for children's services.

8 b. City-administered facilities. "City-administered facilities" means  
9 hotels, shelters and other accommodations or associated services,  
10 managed by or provided under contract or similar agreement with any city  
11 agency, provided to individuals or families who need temporary emergency  
12 housing or assistance finding or maintaining stable housing.

13 c. DHS-administered facilities. "DHS-administered facilities" means  
14 city-administered facilities managed directly by the department of home-  
15 less services or by a provider under contract or similar agreement with  
16 the department of homeless services.

17 d. DYCD-administered facilities. "DYCD-administered facilities" means  
18 city-administered facilities managed directly by the department of youth  
19 and community development or by a provider under contract or similar  
20 agreement with the department of youth and community development.

21 e. HPD-administered facilities. "HPD-administered facilities" means  
22 city-administered facilities managed directly by the department of hous-  
23 ing preservation and development or by a provider under contract or  
24 similar agreement with the department of housing preservation and devel-  
25 opment.

26 f. HRA-administered facilities. "HRA-administered facilities" means  
27 city-administered facilities managed directly by the human resources  
28 administration or by a provider under contract or similar agreement with  
29 the human resources administration, excluding shelters for victims of  
30 domestic violence managed directly by the human resources administration  
31 or by a provider under contract or similar agreement with the human  
32 resources administration.

33 g. Supportive housing facilities. "Supportive housing facilities"  
34 means affordable, independent, and permanent housing with support  
35 services for tenants, including but not limited to people who have been  
36 homeless, have histories of substance abuse, are coping with mental  
37 illness, have chronic illnesses such as HIV/AIDS, are young adults aging  
38 out of foster care, are homeless veterans, or grandparents raising  
39 grandchildren, and is under contract with a city agency including but  
40 not limited to the department of health and mental hygiene and the human  
41 resources administration.

42 (4) Within ninety days of the completion of a review conducted pursu-  
43 ant to paragraph one of this subdivision, the commissioners of the  
44 office of mental health, the office for people with developmental disa-  
45 bilities and the office of alcoholism and substance abuse services  
46 shall, in collaboration with the commissioner of the New York city  
47 department of homeless services and the chair and chief executive offi-  
48 cer of the New York city housing authority, shall issue a report and  
49 deliver a copy of their findings, and any legislative recommendations  
50 they deem to be necessary to the governor, the temporary president of  
51 the senate, the speaker of the assembly, the chair of the mental health  
52 and developmental disabilities committee of the senate, and the chair of  
53 the mental health committee of the assembly.

54 § 2. This act shall take effect immediately.