STATE OF NEW YORK

1975

2021-2022 Regular Sessions

IN SENATE

January 16, 2021

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

AN ACT to amend the social services law, in relation to persons with serious mental illness residing in adult homes

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

Section 1. The social services law is amended by adding a new section 461-u to read as follows:

§ 461-u. Persons with serious mental illness residing in an adult home. 1. Notwithstanding any provision of law or regulation to the contrary, the commissioner shall not limit the census of persons with serious mental illness residing in an adult home as defined in section two of this chapter, provided that the adult home meets the following requirements:

(a) it is organized as a not-for-profit corporation;

(b) it is operated by an organization that also operates a continuum of housing and residential services, including supportive housing and independent housing;

(c) it assesses each adult home resident on a periodic basis to ensure that the resident is living in the most integrated setting appropriate to the resident's needs; and

(d) it actively addresses the needs of the adult home residents with serious mental illness by:

i. fostering the development of independent living skills;

ii. ensuring access to and quality of mental health services;

iii. encouraging community involvement and integration; and

iv. fostering a homelike atmosphere.

2. For purposes of this section "persons with serious mental illness" means individuals who meet criteria established by the commissioner of mental health, which shall be persons who have a designated diagnosis of mental illness under the Diagnostic and Statistical Manual of Mental

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

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Disorders (DSM-IV-TR, American Psychiatric Association, July 2000), and whose severity and duration of mental illness results in substantial functional disability.

§ 2. This act shall take effect immediately.