

# 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:

1 Section 1. The social services law is amended by adding a new section  
2 461-u to read as follows:

3 § 461-u. Persons with serious mental illness residing in an adult  
4 home. 1. Notwithstanding any provision of law or regulation to the  
5 contrary, the commissioner shall not limit the census of persons with  
6 serious mental illness residing in an adult home as defined in section  
7 two of this chapter, provided that the adult home meets the following  
8 requirements:

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

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

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

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

18 i. fostering the development of independent living skills;

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

20 iii. encouraging community involvement and integration; and

21 iv. fostering a homelike atmosphere.

22 2. For purposes of this section "persons with serious mental illness"  
23 means individuals who meet criteria established by the commissioner of  
24 mental health, which shall be persons who have a designated diagnosis of  
25 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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- 1 Disorders (DSM-IV-TR, American Psychiatric Association, July 2000), and
- 2 whose severity and duration of mental illness results in substantial
- 3 functional disability.
- 4 § 2. This act shall take effect immediately.