STATE OF NEW YORK

9041

IN SENATE

May 5, 2022

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

AN ACT in relation to establishing a temporary commission to study aging in place in mental health housing; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. 1. A temporary commission shall be established within the office of mental health to be known as the mental health housing evaluation commission for aging in place (hereinafter referred to as the "commission") to make recommendations including, but not limited to, the following:

(a) solutions for removing barriers to ensure residents of community-based mental health housing programs can successfully age in place while receiving adequate care;

(b) identifying policy, procedure, or regulatory changes that aim to remove barriers to residents of community-based mental health housing programs to receive both mental health and medical care, including the ability to hire health care professionals, including but not limited to nurses and/or health home aides;

(c) an action plan for making residences American Disability Act compliant;

(d) necessary training for residential staff to understand the needs of the elderly for which they are providing care; and

(e) types of assistance to consider when transporting residents to medical appointments and ensuring the proper follow-up occurs.

2. The commission shall consist of nine members as follows: three members shall be appointed by the governor; two members shall be appointed by the speaker of the assembly; two members shall be appointed by the temporary president of the senate; one member shall be appointed by the minority leader of the senate; and one member shall be appointed by the minority leader of the assembly. The commission members shall be appointed within 60 days after this act shall have become a law.

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

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Members so appointed shall consist of at least: one representative of a statewide organization or advocacy group for residents of mental health housing programs; at least one health care professional with expertise in the needs of the elderly/aging residents of a congregate care setting with significant medical issues; at least one mental health professional with expertise in the needs of elderly mental health housing residents with a severe and persistent mental illness; and at least one member shall be a director of a mental health housing program. A chairperson shall be nominated by a majority vote from among the members of the commission.

3. No member, officer or employee of the commission shall be disqualified from holding any other public office or employment, nor shall he or she forfeit any such office or employment by reason of his or her appointment hereunder, notwithstanding the provisions of any general, special, or local law, ordinance or city charter.

4. The members of the commission shall receive no compensation for their services but shall be allowed their actual and necessary expenses incurred in the performance of their duties hereunder. The commission shall meet at least three times, or more if deemed necessary, at the call of the chairperson to fulfill its duties.

5. The commission shall make a report of its findings, including any recommendations required pursuant to subdivision one of this section as well as any legislative or budgetary initiatives as it may deem necessary and appropriate. Such report shall be provided to the governor and the legislature no later than twelve months after this act shall have become a law.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed thirty days after the report required pursuant to subdivision five of section one of this act has been presented to the legislature; provided, further, that the commissioner of mental health shall notify the legislative bill drafting commission upon the submission of the report required by subdivision five of section one of this act to the legislature, in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.