

# STATE OF NEW YORK

316

2023-2024 Regular Sessions

## IN ASSEMBLY

January 4, 2023

Introduced by M. of A. WALKER -- Multi-Sponsored by -- M. of A. SIMON --  
read once and referred to the Committee on Mental Health

AN ACT to amend the mental hygiene law, in relation to the establishment  
of community housing waiting lists for adults within the office of  
mental health service system

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

1 Section 1. Section 7.15 of the mental hygiene law is amended by adding  
2 three new subdivisions (c), (d) and (e) to read as follows:

3 (c) The commissioner shall establish a community housing waiting list  
4 for adults seeking housing services in the office of mental health  
5 service system. For the purposes of this section, the term "community  
6 housing waiting list" shall mean an unduplicated list or roster of  
7 adults with a documented mental illness who meet the eligibility crite-  
8 ria for the array of office of mental health funded and/or licensed  
9 housing programs who have been referred to or applied for but not yet  
10 received supported, supportive, supervised or congregate housing  
11 services in the office of mental health service system.

12 For the purposes of this section, the term "provider of housing  
13 services" shall include every holder of an operating certificate issued  
14 pursuant to article thirty-one of this chapter, or every housing program  
15 funded, operated or administered by the office including any local  
16 government unit mental health housing referral system and each single  
17 point of entry office, operated by or under contract with a director of  
18 community services pursuant to article forty-one of this chapter.

19 For the purposes of this section, the term "agency or institution"  
20 shall include adult homes, nursing homes, foster care providers, home-  
21 less shelters, state psychiatric centers, hospitals, correctional facil-  
22 ities and other referring entities.

23 Each month, each provider of housing services shall provide to the  
24 office the name of each person who is referred to, applies for, is

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

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1 admitted to, withdraws an application for or is denied admission to the  
2 provider's housing program, along with such other information as the  
3 commissioner may require.

4 Each month, each agency or institution making referrals for housing  
5 services in the office of mental health service system may provide to  
6 the office the names of persons whom it has referred to a provider of  
7 housing services, along with such other information as the commissioner  
8 may require.

9 Each month, each county's community-based agency performing assess-  
10 ments of people with disabilities using the uniform assessment tool, as  
11 required by paragraph (b) of subdivision one of section seven hundred  
12 three of the executive law, shall provide to the office the name of each  
13 person with a documented mental illness who is assessed and meets the  
14 eligibility criteria for the array of office of mental health funded  
15 and/or licensed housing programs, and the names of those persons it has  
16 referred to providers of housing services along with such other informa-  
17 tion as the commissioner may require.

18 (d) The commissioner shall establish policies, procedures and forms  
19 for the community housing waiting list in order to ensure that appli-  
20 cants and prospective applicants for housing programs, providers of  
21 housing services, and referring agencies and institutions may submit  
22 waiting list information and copies of applications and referrals  
23 directly to the office via electronic means. Such policies, procedures  
24 and forms shall safeguard the confidentiality of information concerning  
25 persons seeking housing in the office of mental health service system,  
26 and accord each person on the waiting list the opportunity to receive a  
27 written copy of all personal information maintained on the waiting list.  
28 Such policies and procedures shall provide for the community housing  
29 waiting list to include all persons on any local or state waiting list  
30 for housing in the office of mental health service system before the  
31 effective date of this subdivision and the date upon which each such  
32 person was first placed on such waiting list. Such list shall also  
33 include persons who are placed on any such local or state waiting list  
34 on or after the effective date of this subdivision.

35 (e) The commissioner shall prepare a written report on the community  
36 housing waiting list of persons with a documented mental illness seeking  
37 housing in the office of mental health service system. Such housing  
38 shall include community-based housing and related services for which  
39 persons are assessed pursuant to article twenty-five of the executive  
40 law. Such report shall include, but not be limited to, the number of  
41 adults, by county, referred to the community housing waiting list; the  
42 number of adults, by county, that applied for each category of residen-  
43 tial service; the number of adults, by county, admitted to each category  
44 of residential service; the number of adults, by county, denied admis-  
45 sion to each category of residential service; the number of adults, by  
46 county, who withdrew applications for each category of residential  
47 service; and the number of adults, by county, on the statewide waiting  
48 list for each category of residential service. For each category and  
49 county, the number of months on the waiting list shall be reported for  
50 each person. Such report also shall include the types, capacities and  
51 vacancy rates of residential services offered in each county and detail  
52 the efforts of the office to reduce the length of the waiting list for  
53 each category of residential service, including the methods by which the  
54 office prioritizes the provision of services to persons on the statewide  
55 community housing waiting list and the efforts of the state to inform  
56 the public about the community housing waiting list and the availability

1 of community housing services for adults with a documented mental  
2 illness. Such report shall be submitted to the governor, the chair-  
3 person of the senate mental health and developmental disabilities  
4 committee and the chairperson of the assembly mental health committee,  
5 and each local community services board on or before January first, two  
6 thousand twenty-six and monthly thereafter.

7 § 2. This act shall take effect on the one hundred eightieth day after  
8 it shall have become a law. Effective immediately, the addition, amend-  
9 ment and/or repeal of any rule or regulation necessary for the implemen-  
10 tation of this act on its effective date are authorized to be made and  
11 completed on or before such effective date.