STATE OF NEW YORK

2899

2023-2024 Regular Sessions

IN SENATE

January 25, 2023

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

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 Assembly, 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 addiction services and supports shall, in collaboration with the commissioner of the New York city department of homeless services and the chair and chief executive officer of the New York city housing authority, 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 facilities in the affected area.

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

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

a. ACS placement facilities. "ACS placement facilities" means facilities, certified by the New York state office of children and family

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

LBD04629-01-3

services, for the care of youth placed in accordance with the provisions of the family court act and the regulations of the New York state office of children and family services, managed directly by the administration for children's services or under contract or similar agreement with the administration for children's services.

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

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

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

e. HPD-administered facilities. "HPD-administered facilities" means city-administered facilities managed directly by the department of housing preservation and development or by a provider under contract or similar agreement with the department of housing preservation and development.

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

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

(4) Within ninety days of the completion of a review conducted pursuant to paragraph one of this subdivision, the commissioners of the office of mental health, the office for people with developmental disabilities and the office of addiction services and supports shall, in collaboration with the commissioner of the New York city department of homeless services and the chair and chief executive officer of the New York city housing authority, shall issue a report and deliver a copy of their findings, and any legislative recommendations they deem to be necessary to the governor, the temporary president of the senate, the speaker of the assembly, the chair of the mental health and developmental disabilities committee of the senate, and the chair of the mental health committee of the assembly.

§ 2. This act shall take effect immediately.