

# STATE OF NEW YORK

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5119

2023-2024 Regular Sessions

## IN ASSEMBLY

March 2, 2023

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Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Mental Health

AN ACT in relation to establishing a task force 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:

- 1 Section 1. 1. A task force shall be established within the office of  
2 mental health to be known as the mental health housing evaluation task  
3 force for aging in place (hereinafter referred to as the "task force")  
4 to make recommendations including, but not limited to, the following:  
5 (a) solutions for removing barriers to ensure residents of community-  
6 based mental health housing programs can successfully age in place while  
7 receiving adequate care;  
8 (b) identifying policy, procedure, or regulatory changes that aim to  
9 remove barriers to residents of community-based mental health housing  
10 programs to receive both mental health and medical care, including the  
11 ability to hire health care professionals, including but not limited to  
12 nurses and/or health home aides;  
13 (c) an action plan for making residences Americans with Disabilities  
14 Act compliant;  
15 (d) necessary training for residential staff to understand the needs  
16 of the elderly for which they are providing care; and  
17 (e) types of assistance to consider when transporting residents to  
18 medical appointments and ensuring the proper follow-up occurs.  
19 2. The task force shall consist of nine members as follows: three  
20 members shall be appointed by the governor; two members shall be  
21 appointed by the speaker of the assembly; two members shall be appointed  
22 by the temporary president of the senate; one member shall be appointed  
23 by the minority leader of the senate; and one member shall be appointed

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

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1 by the minority leader of the assembly. The task force members shall be  
2 appointed within 60 days after this act shall have become a law.

3 Members so appointed shall consist of at least: one representative of  
4 a statewide organization or advocacy group for residents of mental  
5 health housing programs; at least one health care professional with  
6 expertise in the needs of the elderly/aging residents of a congregate  
7 care setting with significant medical issues; at least one mental health  
8 professional with expertise in the needs of elderly mental health hous-  
9 ing residents with a severe and persistent mental illness; and at least  
10 one member shall be a director of a mental health housing program. A  
11 chairperson shall be nominated by a majority vote from among the members  
12 of the task force.

13 3. No member, officer or employee of the task force shall be disquali-  
14 fied from holding any other public office or employment, nor shall he or  
15 she forfeit any such office or employment by reason of his or her  
16 appointment hereunder, notwithstanding the provisions of any general,  
17 special, or local law, ordinance or city charter.

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

23 5. The task force shall make a report of its findings, including any  
24 recommendations required pursuant to subdivision one of this section as  
25 well as any legislative or budgetary initiatives as it may deem neces-  
26 sary and appropriate. Such report shall be provided to the governor and  
27 the legislature no later than twelve months after this act shall have  
28 become a law.

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