

# STATE OF NEW YORK

8989

## IN ASSEMBLY

January 31, 2024

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  
24 by the minority leader of the assembly. The task force members shall be  
25 appointed within 60 days after this act shall have become a law.  
26 Members so appointed shall consist of at least: one representative of  
27 a statewide organization or advocacy group for residents of mental

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

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1 health housing programs; at least one health care professional with  
2 expertise in the needs of the elderly/aging residents of a congregate  
3 care setting with significant medical issues; at least one mental health  
4 professional with expertise in the needs of elderly mental health hous-  
5 ing residents with a severe and persistent mental illness; and at least  
6 one member shall be a director of a mental health housing program. A  
7 chairperson shall be nominated by a majority vote from among the members  
8 of the task force.

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

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

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

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26 deemed repealed thirty days after the report required pursuant to subdi-  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