

# STATE OF NEW YORK

10322

## IN ASSEMBLY

February 20, 2026

Introduced by M. of A. SANTABARBARA -- read once and referred to the  
Committee on People with Disabilities

AN ACT to amend the mental hygiene law, in relation to requiring a residential transition conference when a person with developmental disabilities transfers from one program run by a covered operator to another program run by a covered operator

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

1 Section 1. The mental hygiene law is amended by adding a new section  
2 16.39 to read as follows:

3 § 16.39 Residential transition conferences.

4 (a) Definitions. For the purposes of this section, the following terms  
5 shall have the following meanings:

6 (1) "covered operator" shall mean any holder of an operating certificate  
7 issued pursuant to this article that provides residential  
8 services, any organization providing residential services whose incorporation  
9 or activities require the approval of the commissioner, or any  
10 program funded or administered by the office that provides residential  
11 services.

12 (2) "individualized service plan" or "life plan" shall mean a written  
13 document that outlines a person with developmental disabilities': goals  
14 and desired outcomes; habilitation goals; strengths and preferences;  
15 assessed clinical and support needs (whether paid or unpaid); services  
16 and providers; and safeguards, including back-up plans and strategies.

17 (b) It shall be the duty of every covered operator to participate in a  
18 residential transition conference before a person with developmental  
19 disabilities enters such covered operator's residential program from a  
20 program run by another covered operator or leaves their residential  
21 program for a program run by another covered operator. Attendance at  
22 such conference shall include:

23 (1) the covered operator who currently serves a person with develop-  
24 mental disabilities;

25 (2) the covered operator who will serve such person with developmental  
26 disabilities after the transition;

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

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1 (3) the person with developmental disabilities who is entering or  
2 leaving such residential program, unless such person's attendance is  
3 contraindicated for reasons of health or safety;

4 (4) the person with developmental disabilities' family, unless such  
5 person objects to their family's attendance;

6 (5) the person with developmental disabilities' guardian or legal  
7 representative; and

8 (6) the person with developmental disabilities' care manager.

9 (c) (1) The purpose of the residential transition conference shall be  
10 for the covered operator who currently serves the person with develop-  
11 mental disabilities to review and discuss such person's life plan with  
12 the covered operator who will be serving the individual after the  
13 completion of the transition, as well as to provide the other attendees  
14 of such conference with an opportunity to ask questions or provide addi-  
15 tional information regarding such life plan to the covered operator who  
16 will be serving the individual after the completion of the transition.

17 (2) At the conclusion of the residential transition conference, both  
18 covered operators shall complete and sign a form promulgated by the  
19 commissioner summarizing the contents of the conference. The completed  
20 form and any relevant accompanying documents shall be transmitted to the  
21 office in a manner specified by the office. Copies of the completed form  
22 and any accompanying materials shall be provided to the person with  
23 developmental disabilities, such person's legal representative, and both  
24 covered operators. The copies received by the covered operators shall be  
25 retained as part of the person with developmental disabilities' records.

26 § 2. This act shall take effect on the one hundred eightieth day after  
27 it shall have become a law. Effective immediately, the addition, amend-  
28 ment, and/or repeal of any rule or regulation necessary for the imple-  
29 mentation of this act on its effective date are authorized to be made  
30 and completed on or before such effective date.