

# STATE OF NEW YORK

10322--A

## IN ASSEMBLY

February 20, 2026

Introduced by M. of A. SANTABARBARA -- read once and referred to the Committee on People with Disabilities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to residential transition conferences and the placement of persons with developmental disabilities

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) For the purposes of this section, "covered operator" shall mean  
5 any holder of an operating certificate issued pursuant to this article  
6 that provides residential services, any organization providing residen-  
7 tial services whose incorporation or activities require the approval of  
8 the commissioner, or any program funded or administered by the office  
9 that provides residential services.

10 (b) It shall be the duty of every covered operator to provide written  
11 notice of pending placement to interested parties, in accordance with  
12 guidelines promulgated by the office. Interested parties shall include,  
13 but not be limited to:

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

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

18 (3) the person with developmental disabilities who is entering or  
19 leaving such residential program;

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

22 (5) the person with developmental disabilities' guardian or legal  
23 representative; and

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

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

LBD13418-02-6

1 (c) (1) The purpose of the written notice shall be to provide inter-  
2 ested parties with sufficient information about the proposed placement,  
3 reason for the placement, information about scheduling or declining a  
4 residential transition conference, the process for responding to the  
5 notice, and any other relevant information as determined by the office  
6 and the covered operator.

7 (2) A residential transition conference shall be held between the  
8 interested parties after notice has been given of the proposed placement  
9 to discuss the proposal.

10 (3) The office may establish rules and regulations for the provision  
11 of written notice to interested parties and the administration of a  
12 residential transition conference, including that such conference may  
13 take place virtually or over the phone.

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