

# STATE OF NEW YORK

4344--A

2025-2026 Regular Sessions

## IN SENATE

February 4, 2025

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Disabilities -- recommit-  
ted to the Committee on Disabilities in accordance with Senate Rule 6,  
sec. 8 -- committee discharged, bill amended, ordered reprinted as  
amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to requiring the  
office for people with developmental disabilities to issue a residen-  
tial request list and placement report to the governor and the legis-  
lature

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

1 Section 1. The mental hygiene law is amended by adding a new section  
2 13.28 to read as follows:

3 § 13.28 Office for people with developmental disabilities; residential  
4 request list and placement report.

5 (a) The office shall issue a report to the governor, the speaker of  
6 the assembly, and the temporary president of the senate, within eighteen  
7 months of the effective date of this section, setting forth the number  
8 of individuals with developmental disabilities who are on the residen-  
9 tial request list seeking placement. The residential request report  
10 shall include:

11 1. the statewide number of individuals awaiting placement broken down  
12 into the total number of individuals from within each developmental  
13 disability services office's geographic area;

14 2. the number of individuals awaiting placement in any certified resi-  
15 dential setting categorized by the length of time such individuals have  
16 been awaiting placement, and divided into certified out-of-home, super-  
17 vised, supportive placement and the number of such persons who are  
18 medically frail requiring intensive medical care; and

19 3. the number of individuals expected to require home and community  
20 based services waiver-funded habilitation services at-home.

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

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1 (b) The commissioner shall issue a report summarizing the number of  
2 individuals who are currently placed in a residential program and who  
3 are awaiting an alternative placement. These individuals shall be  
4 divided according to:

5 1. the number and age of such individuals;

6 2. the number of children in residential placements expected to age  
7 out of such placements within a year and plans for continuing their  
8 placements as adults;

9 3. the number of individuals who have asked for an alternative place-  
10 ment, either themselves or through their parent or guardian acting on  
11 their behalf, over the twelve month period preceding the date of release  
12 of the report, with categorical descriptions of the reasons for such  
13 results and any actions taken or planned to remedy such situation; and

14 4. any other information deemed necessary by the commissioner.

15 § 2. This act shall take effect on the ninetieth day after it shall  
16 have become a law.