# STATE OF NEW YORK

1130--A

2025-2026 Regular Sessions

# IN ASSEMBLY

January 9, 2025

Introduced by M. of A. SANTABARBARA, SHIMSKY -- 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 establishing the statewide group home families working group

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

Section 1. Section 13.03 of the mental hygiene law is amended by adding a new subdivision 3 to read as follows:

**3. "group home" means a community residence as defined in section 1.03 of this chapter, serving people with developmental disabilities.**

§ 2. The mental hygiene law is amended by adding a new section 13.05-a to read as follows:

**§ 13.05-a Statewide group home families working group.**

**(a) There is hereby established a statewide group home families working group. The statewide group home families working group shall consist of eleven members to be appointed as follows:**

**1. one member shall be the commissioner of the office for people with developmental disabilities, or their designee;**

**2. four members appointed by the governor;**

**3. two members selected by the temporary president of the senate;**

**4. two members selected by the speaker of the assembly;**

**5. one member selected by the minority leader of the senate; and**

**6. one member selected by the minority leader of the assembly;**

**(b) Members shall be persons with developmental disabilities with lived experience residing in group homes or family members or guardians of persons with developmental disabilities with lived experience residing in group homes.**

**(c) The governor shall designate one of the appointed members as chair.**

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

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(d) Members shall be appointed for terms of three years. Vacancies shall be filled in the same manner as original appointments for the remainder of the unexpired term. The designation of a member as chair shall be made biannually.

(e) The statewide group home families working group shall have no executive, administrative or appointive duties. The duties of the statewide group home families working group shall include, but not be limited to:

1. Informing and advising the commissioner as to matters of importance for persons with developmental disabilities residing in group homes and their families and guardians;

2. Providing recommendations for statewide and regional priorities and goals for individuals residing in group homes and families and guardians of individuals residing in group homes;

3. Advising the commissioner on such other matters related to group homes as the statewide group home families working group deems relevant; and

4. Soliciting and receiving input from current and former residents of group homes and family members and guardians of residents of group homes regarding the operation of group homes, including but not limited to care provided and financial matters.

(f) The statewide group home families working group shall establish such committees as deemed necessary by the chair.

(g) The statewide group home families working group shall meet at least four times in each full calendar year and at least once during each calendar quarter. In addition, the statewide group home families working group may hold special meetings at the request of its chair or the commissioner within ten days of receiving written notice of such meeting.

1. Notice of a public meeting and a printed agenda, which may be subject to later amendment, shall be made available to the public at least fifteen days in advance of such meeting, including by publication by the commissioner on the office's website.

2. At such meetings, interested parties shall be provided reasonable opportunity, both orally and in writing, to comment regarding the operation of group homes, including but not limited to care provided and financial matters.

(h) Members of the statewide group home families working group shall receive no compensation for their services but shall be reimbursed for all expenses actually and necessarily incurred by them in the performance of their duties.

(i) The statewide group home families working group shall submit by January thirtieth, two thousand twenty-seven, and annually thereafter, reports to the commissioner, the governor and the legislature reviewing and analyzing matters of concern related to group homes. Such reports shall include, but not be limited to, a review of comments made at meetings of the statewide group home families working group, other matters of importance deemed relevant to persons with developmental disabilities residing in group homes and family and guardians of persons with developmental disabilities residing in group homes; and a description of recommendations for future action by the state.

(j) The statewide group home families working group shall regularly communicate with the commissioner regarding its actions and duties and shall fulfill its obligations under this section in collaboration with the commissioner. The commissioner shall provide assistance to the statewide group home families working group in the fulfillment of its

**duties upon the reasonable request of the statewide group home families working group.**

§ 3. Paragraph 1 of subdivision (b) of section 5.07 of the mental hygiene law, as amended by section 3 of part N of chapter 56 of the laws of 2012, subparagraphs f and g as amended and subparagraph h as added by section 3 of part V of chapter 57 of the laws of 2021, is amended to read as follows:

(1) The office of mental health, the office for people with developmental disabilities and the office of [~~alcoholism and substance abuse services~~] **addiction services and supports** shall formulate a statewide comprehensive five-year plan for the provision of all state and local services for persons with mental illness, developmental disabilities, and/or those with substance use or compulsive gambling disorders. The statewide comprehensive plan shall be based upon an analysis of local services plans developed by each local governmental unit, in consultation with consumers, consumer groups, providers of services and departmental facilities that furnish behavioral health services in conformance with statewide priorities and goals established with recommendations of the behavioral health services advisory council [~~and~~]~~,~~ the advisory council on developmental disabilities **and the statewide group home families working group**. The plan shall:

a. identify statewide priorities;

b. specify statewide goals that reflect the statewide priorities and are focused on obtaining positive measurable outcomes;

c. propose strategies and initiatives to address the priorities and facilitate achievement of statewide goals;

d. identify services and supports, which may include programs run or led by peers, that are designed to promote the health and wellness of persons with mental illness, developmental disabilities, and/or substance use or compulsive gambling disorders;

e. provide analysis of current and anticipated utilization of state and local, and public and private facilities, programs, services, and/or supports;

f. encourage and promote person-centered, culturally and linguistically competent community-based programs, services, and supports that reflect the partnership between state and local governmental units;

g. include progress reports on the implementation of both short-term and long-term recommendations of the children's plan required pursuant to section four hundred eighty-three-f of the social services law; [~~and~~]

h. include final reports for time-limited demonstration programs pursuant to subdivision (d) of section 41.35 of this chapter**; and**

**i. include a discussion of the recommendations made by the behavioral health services advisory council, the advisory council on developmental disabilities and the statewide group home families working group**.

§ 4. Paragraph 4 of subdivision (b) of section 5.07 of the mental hygiene law, as amended by chapter 412 of the laws of 2021, is amended to read as follows:

(4) The commissioners of each of the offices shall be responsible for the development of such statewide five-year plan for services within the jurisdiction of their respective offices and after giving due notice shall conduct one or more public hearings on such plan. The behavioral health services advisory council [~~and~~]~~,~~ the advisory council on developmental disabilities **and the statewide group home families working group** shall review the statewide five year comprehensive plan developed by such office or offices and report its recommendations thereon to such commissioner or commissioners. Each commissioner shall submit the plan,

with appropriate modifications, to the governor no later than the first day of November of each year in order that such plan may be considered with the estimates of the offices for the preparation of the executive budget of the state of New York for the next succeeding state fiscal year. Such comprehensive plan shall be submitted to the legislature and also be posted to the website of each office. Statewide plans shall ensure responsiveness to changing needs and goals and shall reflect the development of new information and the completion of program evaluations. An interim report detailing the commissioner's actions in fulfilling the requirements of this section in preparation of the plan and modifications in the plan of services being considered by the commissioner shall be submitted to the governor and the legislature on or before the fifteenth day of March of each year. Such interim report shall include, but need not be limited to:

(a) actions to include participation of consumers, consumer groups, providers of services and departmental facilities, as required by this subdivision; and

(b) any modifications in the plan of services being considered by the commissioner, to include: (i) compelling budgetary, programmatic or clinical justifications or other major appropriate reason for any significant new statewide programs or policy changes from a prior (approved) five year comprehensive plan; and (ii) procedures to involve or inform local governmental units of such actions or plans.

§ 5. This act shall take effect on the sixtieth day after it shall have become a law.