

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:

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

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

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

7 § 13.05-a Statewide group home families working group.

8 (a) There is hereby established a statewide group home families work-
9 ing group. The statewide group home families working group shall consist
10 of eleven members to be appointed as follows:

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

13 2. four members appointed by the governor;

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

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

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

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

18 (b) Members shall be persons with developmental disabilities with
19 lived experience residing in group homes or family members or guardians
20 of persons with developmental disabilities with lived experience resid-
21 ing in group homes.

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

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

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

5 (e) The statewide group home families working group shall have no
6 executive, administrative or appointive duties. The duties of the state-
7 wide group home families working group shall include, but not be limit-
8 ed to:

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

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

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

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

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

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

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

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

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

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

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

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

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

8 (1) The office of mental health, the office for people with develop-
9 mental disabilities and the office of [~~alcoholism and substance abuse~~
10 ~~services~~] addiction services and supports shall formulate a statewide
11 comprehensive five-year plan for the provision of all state and local
12 services for persons with mental illness, developmental disabilities,
13 and/or those with substance use or compulsive gambling disorders. The
14 statewide comprehensive plan shall be based upon an analysis of local
15 services plans developed by each local governmental unit, in consulta-
16 tion with consumers, consumer groups, providers of services and depart-
17 mental facilities that furnish behavioral health services in conformance
18 with statewide priorities and goals established with recommendations of
19 the behavioral health services advisory council [~~and~~], the advisory
20 council on developmental disabilities and the statewide group home fami-
21 lies working group. The plan shall:

- 22 a. identify statewide priorities;
23 b. specify statewide goals that reflect the statewide priorities and
24 are focused on obtaining positive measurable outcomes;
25 c. propose strategies and initiatives to address the priorities and
26 facilitate achievement of statewide goals;
27 d. identify services and supports, which may include programs run or
28 led by peers, that are designed to promote the health and wellness of
29 persons with mental illness, developmental disabilities, and/or
30 substance use or compulsive gambling disorders;
31 e. provide analysis of current and anticipated utilization of state
32 and local, and public and private facilities, programs, services, and/or
33 supports;
34 f. encourage and promote person-centered, culturally and linguis-
35 tically competent community-based programs, services, and supports that
36 reflect the partnership between state and local governmental units;
37 g. include progress reports on the implementation of both short-term
38 and long-term recommendations of the children's plan required pursuant
39 to section four hundred eighty-three-f of the social services law; [~~and~~]
40 h. include final reports for time-limited demonstration programs
41 pursuant to subdivision (d) of section 41.35 of this chapter; and
42 i. include a discussion of the recommendations made by the behavioral
43 health services advisory council, the advisory council on developmental
44 disabilities and the statewide group home families working group.

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

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

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

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

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

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