

# STATE OF NEW YORK

6458

2025-2026 Regular Sessions

## IN ASSEMBLY

March 5, 2025

Introduced by M. of A. SLATER -- read once and referred to the Committee on Alcoholism and Drug Abuse

AN ACT to amend the mental hygiene law, in relation to the creation of a certified recovery residences task force

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

1 Section 1. Section 32.05-a of the mental hygiene law is amended by  
2 adding a new subdivision 5 to read as follows:

3 5. The certified recovery residences task force is hereby created,  
4 which pursuant to the provisions of this subdivision, shall establish  
5 best practice guidelines for certified recovery living residences that  
6 illustrate the most appropriate and effective environment for persons  
7 recovering from a chemical dependency.

8 (a) The task force shall study and utilize reliable evidence and  
9 information collected from organizations and programs both in New York  
10 state and throughout the country to:

11 (i) Document the number of certified recovery residences operating in  
12 the state;

13 (ii) Issue recommendations and guidelines establishing best practices  
14 for certified recovery living residences in order to provide an alcohol  
15 and drug free recovery living environment, with a focus on least  
16 restrictive means of benefiting the person in recovery. In developing  
17 guidelines, the task force shall consider the role of local and state  
18 government in oversight and other areas; siting challenges; geographic  
19 variations in what housing currently exists and in barriers to creating  
20 new suitable housing; optimal standards for living space, privacy and  
21 nutrition; personal financial participation by tenants; work require-  
22 ments, including adequacy of compensation; reimbursement opportunities;  
23 discharge planning, the participant's legal protections against removal  
24 from the residence; what information must be provided to the participant  
25 at admission, including due process rights of the participant for

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

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1 removal from the residence; appropriate responses to relapse with the  
2 goal of protecting both the person who has relapsed and other residents  
3 of the residence; how to ensure access to medication assisted treatment;  
4 the needs of women, and of women with children; the use of drug testing;  
5 and options and requirements for formal or self-help treatment services;

6 (iii) Study and issue findings regarding health and safety concerns  
7 related to the occupancy and operation of certified recovery living  
8 residences for the person in recovery;

9 (iv) Study and issue findings regarding the impacts of occupancy and  
10 operation of certified recovery living residences on neighborhoods and  
11 surrounding areas;

12 (v) Issue recommendations for any other program or policy initiative  
13 that the task force deems relevant.

14 (b) The members of the task force shall include thirteen members  
15 consisting of the commissioner or their designee serving ex officio; the  
16 commissioner of the office of mental health or their designee serving ex  
17 officio; the commissioner of the office of temporary and disability  
18 assistance or their designee serving ex officio; the commissioner of the  
19 office of homes and community renewal or their designee serving ex offi-  
20 cio; two members appointed by the temporary president of the senate; one  
21 member appointed by the minority leader of the senate; two members  
22 appointed by the speaker of the assembly; one member appointed by the  
23 minority leader of the assembly; and three members appointed by the  
24 governor, one of whom shall be an operator of a certified recovery  
25 living residence with demonstrated experience in the field and who must  
26 demonstrate, to the extent practicable, that the residences they oper-  
27 ate, certified or otherwise, have had minimal code violations within the  
28 preceding three years. Appointments must ensure geographic represen-  
29 tation, to the extent practicable. The commissioner shall be designated  
30 the chairperson of such task force and shall select a vice-chairperson  
31 and a secretary from the designees appointed by the legislature or the  
32 governor.

33 (i) The members of the task force shall receive no compensation for  
34 their services but shall be reimbursed for expenses actually and neces-  
35 sarily incurred in the performance of their duties.

36 (ii) No civil action shall be brought in any court against any member  
37 of the recovery living task force for any act or omission necessary to  
38 the discharge of their duties as a member of the task force, except as  
39 provided herein. Such member may be liable for damages in any such  
40 action if they failed to act in good faith and exercise reasonable care.  
41 Any information obtained by a member of the task force while carrying  
42 out their duties as prescribed in paragraph (a) of this subdivision  
43 shall only be utilized in their capacity as a member of the task force.

44 (c) No later than one year after the effective date of this subdivi-  
45 sion, the task force shall provide a report containing the results of  
46 the study, including evidence used as a basis in making such report, and  
47 its recommendations, to the governor, the temporary president of the  
48 senate, the minority leader of the senate, the speaker of the assembly,  
49 and the minority leader of the assembly. The task force shall also make  
50 the report public by posting a copy on the website maintained by the  
51 office.

52 § 2. This act shall take effect one year after it shall have become a  
53 law. Effective immediately, the addition, amendment, and/or repeal of  
54 any rule or regulation necessary for the implementation of this act on  
55 its effective date are authorized to be made and completed on or before  
56 such effective date.