



NEW YORK STATE SENATOR

John W. Mannion

Senator Mannion Introduces Bill Requiring Legislative Approval and One-Year Advance Notification Before the Closure of Any State-Run Mental Health, Developmental Disability, or Group Home Facility

JOHN W. MANNION January 19, 2021

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ALBANY, NY – Senator John W. Mannion today introduced a bill requiring legislative approval and mandatory one-year notification before the closure of any state-run mental health, developmental disability, or group home facility.

The bill (S1765,) Mannion's first as senator and as chair of the Senate Committee on Disabilities, aims to end disruptive and unnecessary closures while ensuring continuity of care for facility residents and their families. It will strengthen legislative oversight of the Office of Mental Health, Office of People with Developmental Disabilities, and the Office of Children and Family Services. The bill increases accountability, protects jobs, and ends unilateral decision-making that lacks input from families and the community.

"As Chairman of the Senate Disabilities Committee, I vowed to be a champion for vulnerable New Yorkers and their families. Doing everything I can to keep residents in familiar settings that work for them and their families is the right place to start," said Senator Mannion. "The state's ill-advised attempt to shutter Hutchings Psychiatric Center several years ago is one of many examples across the state where this law would make a difference. The decision to close must never be made lightly and dollars and cents cannot be the only part of the equation. I am proud that my first piece of legislation addresses such an important and meaningful issue to so many New Yorkers."

In the event the agency commissioners believe there is a need for service reductions, public employee staffing reductions and/or the transfer of operations to a private or not-for-profit entity, the bill requires the commissioner to submit a full report to the legislature at least a year prior to any closure. Under the bill, the closure cannot occur without legislative consent.

Mary Sullivan, President of the Civil Service Employees Association, said, "CSEA fully supports this important legislation. Clients, patients, youths and the staff within the state's developmental disability, mental health, and juvenile justice communities deserve stability. Too many times decisions to close hospitals, facilities, and programs are done in the interest of balancing the budget rather than the interests of New Yorkers in need of services. This legislation will institute a more transparent approach to close facilities. We look forward to working with Senator Mannion on this proposal during this legislative session."

Paul Joslyn, Executive Director of AccessCNY said, "We applaud Senator Mannion's efforts to require a one year notification period for the closing of state-operated residential programs supporting people with disabilities or a mental health diagnosis. We believe that people with disabilities have the right to live in the least restrictive and most appropriate residential setting possible and that any changes must be done with significant advance notice and planning to ensure that individuals lives are not uprooted."

Anna and Peter Jutis, Advocates from Long Island said, "We thank Senator Mannion for introducing such a crucial bill like this because it prevents the State from ignoring the human factor involved in these types of decisions. Otherwise, there is nothing to stop the state from uprooting a person out of their home for the past two decades at a moment's notice with little to no justification and shifting excuses. The state shouldn't be permitted to make major unjustified changes that impact the developmentally disabled while ignoring essential facts, issues, and impact."

Dyan Sybalski, Advocate from Centereach, Long Island, said, "As the sister and legal guardian of an adult resident living in a group home facility who was run through the mill by OPWDD I applaud Senator Mannion for introducing this bill and encourage all of his colleagues to support it. This bill can provide vital protections for people with developmental disabilities like my brother. The home that my brother has lived in for the past 20 years should be his residence for the rest of his life and the lives of others in this home. This is a home, not an institution, so slicing the funding and kicking them out just wouldn't be right."

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