

New York State Coalition on Adult Home Reform

PRESS RELEASE

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Adult Home Reform Coalition Asks Legislature to Take Action in Wake of Death *Legislation Needed to Protect People Living in Adult Homes and Assisted Living Facilities*

Albany, NY 5/16/05 Members of the New York State Coalition on Adult Home Reform (NYSCAHR) came to Albany today to ask for legislation to protect people living in adult homes from unscrupulous owners and to assure that people living in adult homes have access to needed housing and services. They call for these changes to be enacted and implemented quickly so that tragic deaths like that of Charles Dunbar can be prevented.

Charles Dunbar died in a fire on May 8, 2005 at Brooklyn Manor, an adult home where he never should have been placed. A New York City homeless shelter sent Mr. Dunbar to live in the Brooklyn Manor in July 2004 even though the State Health Department had put it on the statewide "Do Not Refer List" in March 2004.

NYSCAHR is seeking legislation that would: require a thorough public review of adult home operators; increase the availability of advocacy programs and better housing options and services for people with psychiatric disabilities living in adult homes; and, give people living in adult homes the right to go to court to get new management when the State fails to act on their behalf.

Karen Schimke, President and CEO of the Schuyler Center for Analysis and Advocacy said, "While the state has made some improvements in oversight and inspections, much more needs to be done to protect vulnerable people from unscrupulous or incompetent operators. We ask the State to pass adult home reform legislation and amend the Assisted Living legislation passed last

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year to require that operators of adult homes be subject to the same review for character and competence as other health providers are.” Assemblymember Gottfried introduced extensive adult home reform legislation (A0674). This legislation would require Public Health Council review of adult home operators, improve oversight of adult homes and provide a mechanism to fund more legal and lay advocacy programs.

Steven Yaari, President of the Bayview Manor Resident Council and member of the Coalition of Institutionalized, Aged and Disabled (CIAD) said, “No one knows better than the residents that oversight of adult homes needs to improve. The recent, and long overdue, approval for an increase in the state portion of Supplemental Security Income (SSI) to benefit people living in adult homes obliges the State to improve oversight of adult homes and ensure that this increase directly benefits adult homes residents, not those operating adult homes.”

Irene Kaplan, Vice-President, Surf Manor Resident Council and CIAD member called upon the Governor and the Senate to work with the Assembly to pass meaningful adult home reform legislation this year and improve access to legal and lay advocacy for people living in adult homes. “Every person living in an adult home should have the ability to contact a group like CIAD or speak with a lawyer so they know and understand their rights. These services should not just be available to a few lucky people the way they are now.”

“We are disappointed by the pace of reform,” said Harvey Rosenthal, Executive Director, New York State Association of Psychiatric Rehabilitation Services. “Three years ago we worked closely with state officials to craft a blueprint for reform. We all agreed that one of the key elements to the success of adult home reform is to provide a broad array of community-based housing to help people living in adult homes transition from the institutional adult home environment to a life in recovery in their home communities. This has occurred for far too few people living in adult homes, not for the thousands who were recommended by the Governor’s Adult Home Work Group and promised by the state.” Mr. Rosenthal called upon the state to enact legislation to require creation and maintenance of a waiting list for community mental health housing programs. “Unless the state begins to collect information and invest in alternative forms of housing, thousands of people with psychiatric disabilities will continue to wait for relief that will never come,” said Mr. Rosenthal. Such a bill has been introduced in both houses by Assemblymember Rivera and Senator Morahan (A2895/S3653).

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Advocates also called on lawmakers to pass legislation that would give adult home residents the right to go to court on their own to seek a receiver when conditions in their home endanger their health, safety or welfare. “We urge the Legislature to let adult home residents protect themselves through immediate passage of A2971/S4878. As the Brooklyn Manor experience shows, residents’ safety cannot be left solely to the discretionary powers of a state agency,” said Lycette Nelson, a staff attorney on MFY Legal Services’ Adult Home Advocacy Project. This legislation is also sponsored by Assemblyman Rivera and Senator Morahan.

Gary Levin, CIAD Policy Committee member, resident at Ocean House in Far Rockaway, New York thanked the Governor and Legislature for funding an increase in residents’ Personal Needs Allowance from SSI but also asked that they continue to push for sustained and meaningful changes to oversight and accountability. “How can a home like Brooklyn Manor continue to operate in 2005 after all of the promises made to the thousands of people who live in adult homes? Please pass this legislation and please, Governor Pataki, give the people living in adult homes relief today. Appoint a receiver so that people living in Brooklyn Manor can finally have better management.”

Problems in adult homes have been documented in government reports and media exposes for three decades. In New York State, there are about 35,000 adult home residents, of whom 12,000 have psychiatric disabilities. Originally intended as housing for the elderly, many adult homes now house people with psychiatric disabilities due to the shortage of community mental health housing. Problems in the homes plague elderly and mentally ill residents alike: poor conditions and services, weak regulations, lack of air-conditioning in resident rooms, and a dearth of housing alternatives. After so many years, the time has come for real reform so that residents finally can live with dignity, respect and choice.

NYSCAHR’s mission is to fundamentally change the living conditions, care and treatment for people with psychiatric disabilities who live in adult homes. Members of the coalition include social services, disability and legal advocacy groups and people living in adult homes.