

Guidance on Applying the Definition of “Persons with Serious Mental Illness” for Adult Home Operators

“Persons with serious mental illness” is defined in 18 NYCRR § 487.2 (c) substantially as follows:

Persons with serious mental illness means individuals who meet criteria established by the commissioner of mental health, which shall be persons who have a designated diagnosis of mental illness under the most current of the Diagnostic and Statistical Manual of Mental Disorders (DSM)¹, and whose severity and duration of mental illness results in substantial functional disability.

The definition, and this guidance, was drafted in consultation with the Office of Mental Health (OMH). Consistent with 14 NYCRR § 599.4(p), a designated diagnosis of mental illness means a disruption of normal cognitive, emotional, or behavioral functioning, which can be classified and diagnosed using the current edition of the Diagnostic and Statistical Manual of Mental Illness other than: alcohol or drug disorders, organic brain syndromes, developmental disabilities or social conditions (V codes). Alzheimer’s and other forms of dementia and traumatic brain injury (TBI) are “organic brain syndromes” and therefore do not fall under the category of a designated diagnosis of mental illness.

A designated diagnosis of mental illness is “serious” if its severity and duration results in “substantial functional disability.” “Substantial functional disability” is defined in OMH supported housing guidelines as follows:

“Extended impairment in Functioning Due to Mental Illness:

- a) Documentation that the individual has experienced two of the following four functional limitations due to a designated mental illness over the past 12 months on a continuous or intermittent basis:
 - i. Marked difficulties in self-care
 - ii. Marked restriction of activities of daily living
 - iii. Marked difficulties in maintaining social functioning
 - iv. Frequent deficiencies of concentration, persistence or pace resulting in failure to complete tasks in a timely manner

OR

- b. Reliance on Psychiatric Treatment, Rehabilitation and Supports
A documented history shows that the individual at some prior time met the threshold for extended impairment in functioning due to mental illness, but the

¹ As of January 16, 2013, the current edition of the DSM is DSM-IV-TR, American Psychiatric Association, July 2000. The DSM is periodically revised.

symptoms and/or functioning problems are currently attenuated by medication or psychiatric rehabilitation and supports. Medication refers to psychotropic medications which may control certain primary manifestations of mental disorder; e.g. hallucinations, but may or may not affect functional limitations imposed by the mental disorder.

Generally, persons with serious mental illness are individuals with a persistent mental illness requiring regular treatment over a period of time from a mental health services provider operated, licensed or funded by OMH or provided by a licensed mental health professional.

Mild or episodic depression is unlikely to be a serious mental illness, but depression may be a serious mental illness if it results in a substantial functional disability.