

4765--A

2013-2014 Regular Sessions

I N S E N A T E

April 23, 2013

Introduced by Sen. GIPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- recommitted to the Committee on Veterans, Homeland Security and Military Affairs in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law and the mental hygiene law, in relation to enacting the "behavioral health services for veterans act"

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. This act shall be known and may be cited as the "behavioral
2 health services for veterans act".

3 S 2. The executive law is amended by adding a new section 369-f to
4 read as follows:

5 S 369-F. BEHAVIORAL HEALTH SERVICES FOR VETERANS ADVISORY BOARD. 1.
6 THERE IS HEREBY ESTABLISHED WITHIN THE DIVISION, A BEHAVIORAL HEALTH
7 SERVICES FOR VETERANS ADVISORY BOARD. SUCH BOARD SHALL CONSIST OF NINE
8 MEMBERS, THREE OF WHOM SHALL BE APPOINTED BY THE GOVERNOR, TWO OF WHOM
9 SHALL BE APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE, TWO OF WHOM
10 SHALL BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY, ONE OF WHOM SHALL BE
11 APPOINTED BY THE MINORITY LEADER OF THE SENATE AND ONE OF WHOM SHALL BE
12 APPOINTED BY THE MINORITY LEADER OF THE ASSEMBLY. SUCH MEMBERS SHALL
13 SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY. VACANCIES ON THE
14 BOARD SHALL BE FILLED IN THE MANNER OF THE ORIGINAL APPOINTMENT. MEMBERS
15 OF THE BOARD SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES BUT SHALL
16 BE REIMBURSED FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORM-
17 ANCE OF THEIR DUTIES.

18 2. THE BEHAVIORAL HEALTH SERVICES FOR VETERANS ADVISORY BOARD SHALL
19 STUDY AND ANALYZE BOTH THE ADEQUACY OF EXISTING AND THE NEED FOR NEW
20 BEHAVIORAL HEALTH SERVICES FOR VETERANS. IN PROVIDING SUCH ANALYSIS, THE
21 BOARD SHALL WORK IN COOPERATION WITH THE DIVISION, THE OFFICE OF ALCO-

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

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1 HOLISM AND SUBSTANCE ABUSE SERVICES AND THE DEPARTMENT OF MENTAL
2 HYGIENE. THE BOARD SHALL REPORT THE FINDINGS OF SUCH STUDY TO THE GOVER-
3 NOR AND THE LEGISLATURE ALONG WITH RECOMMENDATIONS IT DEEMS NECESSARY
4 FOR EXPANDED AND IMPROVED BEHAVIORAL HEALTH SERVICES ON OR BEFORE OCTO-
5 BER FIRST, TWO THOUSAND FIFTEEN.

6 S 3. The mental hygiene law is amended by adding a new section 19.43
7 to read as follows:

8 S 19.43 BEHAVIORAL HEALTH SERVICES FOR VETERANS.

9 (A) THE OFFICE, IN COOPERATION WITH THE DEPARTMENT AND THE DIVISION OF
10 VETERANS' AFFAIRS, SHALL ESTABLISH WITHIN EVERY COUNTY WITHIN THE STATE,
11 ACCESS TO BEHAVIORAL HEALTH SERVICES FOR VETERANS. IN ESTABLISHING SUCH
12 ACCESS, THE OFFICE SHALL PROVIDE TREATMENT ON AN INPATIENT, OUTPATIENT
13 AND RESIDENTIAL BASIS, THAT SHALL INCLUDE, BUT NOT BE LIMITED TO, PHAR-
14 MACOTHERAPY FOR ALCOHOL DEPENDENCE, OPIOID DEPENDENCE AND OTHER CHEMICAL
15 DEPENDENCE AND SUBSTANCE ABUSE DISORDERS.

16 (B) STAFF PROVIDING BEHAVIORAL HEALTH SERVICES TO VETERANS SHALL
17 RECEIVE TRAINING IN THE SPECIFIC NEEDS OF VETERANS WITH RESPECT TO CHEM-
18 ICAL DEPENDENCIES AND SUBSTANCE ABUSE DISORDERS AND SHALL BE EXPANDED
19 WHEN NEEDED TO ADEQUATELY PROVIDE SUCH SERVICES.

20 (C) IN ADDITION TO THE SERVICES SET FORTH IN SUBDIVISION (A) OF THIS
21 SECTION, THE OFFICE SHALL PROVIDE THE FOLLOWING SERVICES:

22 1. COORDINATION OF SERVICES BY AN INDIVIDUAL CARE COORDINATOR FOR EACH
23 VETERAN WHO SEEKS SERVICES;

24 2. SCREENING AND ASSESSMENT FOR POST TRAUMATIC STRESS DISORDER, TRAU-
25 MATIC BRAIN INJURY, DEPRESSION AND POTENTIAL FOR SUICIDE;

26 3. AGENCY NETWORKING TO PROVIDE VETERANS WITH CONSISTENT TREATMENT
27 THROUGHOUT THE STATE AND THE VETERANS ADMINISTRATION;

28 4. TRANSPORTATION TO AND FROM THE SERVICES PROVIDED BY THIS SECTION;

29 5. EVALUATION OF CLINICAL PRACTICES SPECIFIC TO VETERANS; AND

30 6. COORDINATION OF PATIENT CARE SERVICES.

31 (D) THE OFFICE IS HEREBY AUTHORIZED AND DIRECTED TO PROMULGATE RULES
32 AND REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION.

33 S 4. This act shall take effect immediately; provided that section two
34 of this act shall take effect April 1, 2015; and provided further that
35 effective immediately, the addition, amendment and/or repeal of any rule
36 or regulation necessary for the implementation of this act on its effec-
37 tive date is authorized to be made and completed on or before such date.