S T A T E O F N E W Y O R K

S. 7904 A. 10159

S E N A T E - A S S E M B L Y

June 17, 2014

IN SENATE -- Introduced by Sen. HANNON -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

IN ASSEMBLY -- Introduced by COMMITTEE ON RULES -- (at request of M. of A. McDonald) -- (at request of the Governor) -- read once and referred to the Committee on Ways and Means

AN ACT to amend the mental hygiene law, in relation to the opioid addiction treatment and hospital diversion demonstration program; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. The mental hygiene law is amended by adding a new section 19.18 to read as follows:

S 19.18 OPIOID ADDICTION TREATMENT AND HOSPITAL DIVERSION DEMONSTRATION PROGRAM.

1. THE COMMISSIONER, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, SHALL ESTABLISH A HEROIN AND OPIOID ADDICTION TREATMENT AND HOSPITAL DIVERSION DEMONSTRATION PROGRAM. THIS PROGRAM SHALL PROVIDE A NEW MODEL OF DETOXIFICATION AND TRANSITIONAL SERVICES FOR INDIVIDUALS SEEKING TREATMENT FOR HEROIN AND OPIOID ADDICTION THAT UTILIZES SHORT-TERM, RESIDENTIAL AND PEER-SUPPORTED SERVICES FOR OPIOID AND HEROIN ADDICTION WITH A GOAL OF REDUCING RELIANCE ON EMERGENCY ROOM SERVICES WHILE PROVIDING APPROPRIATE SUPPORTS TO PATIENTS AND FAMILIES. SUCH DEMONSTRATION PROGRAM SHALL UTILIZE EXISTING BEDS IN MEDICALLY MONITORED DETOXIFICATION PROGRAMS, TO THE EXTENT THAT BEDS ARE LOCATED, AND SERVICES ARE MODIFIED, APPROPRIATELY, TO SERVE THOSE WITH HEROIN OR OPIOID ADDICTIONS; AND SHALL PERMIT PARTICIPATION BY ALL PROGRAMS, SERVICES, AND FACILITIES THAT ARE CERTIFIED OR LICENSED PURSUANT TO THIS ARTICLE. INDIVIDUALS WHO RECEIVE DETOXIFICATION SERVICES PURSUANT TO THIS DEMONSTRATION PROGRAM SHALL, UPON COMPLETION, BE REFERRED TO SERVICES THAT ARE APPROPRIATE TO FACILITATE THEIR RECOVERY FROM HEROIN AND OPIOID ADDICTION. THE COMMISSIONER SHALL ESTABLISH DEMONSTRATIONS THROUGHOUT THE STATE.

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

LBD12114-01-4

2. NOT LATER THAN TWO YEARS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE COMMISSIONER SHALL PROVIDE THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIR OF THE SENATE STANDING COMMITTEE ON HEALTH AND THE CHAIR OF THE ASSEMBLY HEALTH COMMITTEE WITH A WRITTEN EVALUATION OF THE DEMONSTRATION PROGRAM. SUCH EVALUATION SHALL ADDRESS THE OVERALL EFFECTIVENESS OF THIS DEMONSTRATION PROGRAM AS IT RELATES TO PATIENTS, THE SURROUNDING COMMUNITY, HEALTH CARE PROVIDERS AND HEALTH CARE PAYORS, AND SHALL INCLUDE, BUT NOT BE LIMITED TO: LOCATIONS AND UTILIZATION RATES OF THE DEMONSTRATION PROGRAM; THE AMOUNTS OF GRANTS AWARDED PURSUANT TO THIS SECTION, AND THE PROGRAMS, SERVICES, AND FACILITIES THAT RECEIVED SUCH GRANTS; THE EFFECTIVENESS OF THE DEMONSTRATION PROGRAM IN PROVIDING ACCESS TO SERVICES; THE IMPACT OF THESE SERVICES; THE ASSOCIATED COST SAVINGS; AND WHETHER CONTINUATION OR EXPANSION OF THIS DEMONSTRATION PROGRAM OR SIMILAR MODELS ARE RECOMMENDED.

3. THE OPIOID ADDICTION TREATMENT AND HOSPITAL DIVERSION DEMONSTRATION PROGRAM SHALL PROVIDE GRANTS, WITHIN APPROPRIATIONS THEREFOR, TO PROGRAMS, SERVICES, AND FACILITIES THAT ARE CERTIFIED OR LICENSED PURSUANT TO THIS ARTICLE. GRANTS MAY BE AWARDED BY THE OFFICE TO PROGRAMS, SERVICES, AND FACILITIES FOR THE PURPOSE OF ESTABLISHING THE DEMONSTRATION PROGRAM PURSUANT TO SUBDIVISION ONE OF THIS SECTION.

S 2. This act shall take effect immediately and shall expire and be deemed repealed three years after such effective date.