

# STATE OF NEW YORK

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6468

2017-2018 Regular Sessions

## IN SENATE

May 23, 2017

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Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the executive law and the social services law, in relation to mental hygiene facilities

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 2 of section 550 of the executive law, as  
2 amended by section 3 of part MM of chapter 58 of the laws of 2015, is  
3 amended to read as follows:

4 2. "Mental hygiene facility" shall mean a facility as defined in  
5 subdivision six of section 1.03 of the mental hygiene law and facilities  
6 for the operation of which an operating certificate is required pursuant  
7 to article sixteen or thirty-one of the mental hygiene law and including  
8 family care homes. "Mental hygiene facility" also means a secure treat-  
9 ment facility as defined by article ten of the mental hygiene law. This  
10 term shall not include any psychiatric center as set forth in subdivi-  
11 sion (b) of section 7.17 of the mental hygiene law which employs securi-  
12 ty hospital treatment assistants nor services defined in [~~subparagraph~~]  
13 paragraph four of subdivision (a) of section 16.03 of the mental hygiene  
14 law.

15 § 2. Paragraph (a) of subdivision 4 of section 488 of the social  
16 services law, as amended by section 2 of part MM of chapter 58 of the  
17 laws of 2015, is amended to read as follows:

18 (a) a facility or program in which services are provided and which is  
19 operated, licensed or certified by the office of mental health, the  
20 office for people with developmental disabilities or the office of alco-  
21 holism and substance abuse services, including but not limited to  
22 psychiatric centers, inpatient psychiatric units of a general hospital,  
23 developmental centers, intermediate care facilities, community resi-  
24 dences, group homes and family care homes, provided, however, that such

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

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1 term shall not include any psychiatric center as set forth in section  
2 7.17 of the mental hygiene law which employs security hospital treatment  
3 assistants, a secure treatment facility as defined in section 10.03 of  
4 the mental hygiene law, services defined in [~~subparagraph~~] paragraph  
5 four of subdivision (a) of section 16.03 of the mental hygiene law, or  
6 services provided in programs or facilities that are operated by the  
7 office of mental health and located in state correctional facilities  
8 under the jurisdiction of the department of corrections and community  
9 supervision;  
10 § 3. This act shall take effect immediately.