

STATE OF NEW YORK

8786

IN SENATE

July 15, 2020

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the mental hygiene law, in relation to establishing the New York state council on mental health emergency and crisis response

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

1 Section 1. The mental hygiene law is amended by adding a new section
2 7.42 to read as follows:

3 § 7.42 New York state council on mental health emergency and crisis
4 response.

5 (a) There is hereby created in the office, the New York state advisory
6 council on mental health emergency and crisis response. The council
7 shall consist of, at a minimum: the commissioner or his or her designee;
8 an individual representing the state conference of local mental hygiene
9 directors as established under article forty-one of this chapter; an
10 individual representing the mental hygiene legal service as established
11 under article forty-seven of this chapter; and thirty-two additional
12 members of which twelve shall be appointed by the governor, eight shall
13 be appointed by the speaker of the assembly, eight shall be appointed by
14 the temporary speaker of the senate, and two each shall be appointed by
15 the minority leader of the assembly and senate. Each appointed represen-
16 tative shall be representative of the following and shall represent each
17 geographic area of the state. Members shall be knowledgeable in emergen-
18 cy mental health services and shall include, but not be limited to: (i)
19 representatives of emergency mental health units that provide transpor-
20 tation of persons experiencing mental health crises to hospitals or
21 other health care facilities; (ii) statewide organizations representing
22 mental health providers; (iii) statewide advocacy groups representing
23 individuals with a psychiatric condition; (iv) representatives of hospi-
24 tals including but not limited to hospitals operating a comprehensive
25 psychiatric emergency program; (v) physicians and other health and
26 mental health professionals with experience in the delivery of mental
27 health crisis services; and (vi) first responders.

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

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1 (b) The council shall make recommendations to the commissioner on
2 topics including but not limited to: (i) identifying best practices for
3 response to mental health crises; (ii) the development of a statewide
4 emergency mental health unit system for the transportation of persons
5 experiencing mental health crises to, from or between hospitals and
6 other health care facilities; (iii) creating a program for the training,
7 examination, and certification of certified emergency mental health
8 responders; (iv) the provision of pre-hospital emergency mental health
9 care; (v) public education and outreach on the benefit of effective
10 communication among emergency service providers and health care provid-
11 ers regarding people experiencing mental health crises; and (vi) any
12 other recommendation deemed appropriate by the council.

13 (c) The term of office of each member shall be two years. Vacancies
14 shall be filled by appointment for the remainder of an unexpired term.
15 The members shall continue in office until the expiration of their terms
16 and until their successors are appointed and have qualified. No member
17 shall be appointed to the state council for more than four consecutive
18 terms.

19 (d) The council shall meet as frequently as its business may require.
20 The presence of a majority of the members shall constitute a quorum. The
21 members of the council shall receive no compensation for their services
22 as members.

23 (e) The commissioner, upon request of the council, shall designate an
24 officer or employee of the office to act as secretary of the council,
25 and shall assign from time to time such other employees as the council
26 may require.

27 (f) The council shall develop and submit a report to the governor, the
28 speaker of the assembly, and the temporary president of the senate no
29 later than December thirty-first, two thousand twenty and annually ther-
30 eafter, pertaining to the recommendations required by this section, and
31 recommendations to effectively implement any initiative identified by
32 the council and other recommendations deemed appropriate by the commis-
33 sioner.

34 § 2. This act shall take effect on the ninetieth day after it shall
35 have become a law. Effective immediately, the addition, amendment
36 and/or repeal of any rule or regulation necessary for the implementation
37 of this act on its effective date are authorized to be made and
38 completed on or before such effective date.