

STATE OF NEW YORK

8356

2021-2022 Regular Sessions

IN ASSEMBLY

October 20, 2021

Introduced by M. of A. CARROLL -- read once and referred to the Committee on Alcoholism and Drug Abuse

AN ACT to amend the mental hygiene law and the social services law, in relation to establishing contingency management services for certain persons with substance use disorders

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

1 Section 1. Section 19.03 of the mental hygiene law is amended by
2 adding a new subdivision 3 to read as follows:

3 3. "Contingency management services" means addiction disorder services
4 for persons with a substance use disorder that provides individuals with
5 a financial incentive to abstain from using opioids, stimulants, or
6 other substances by rewarding specified behaviors, including, but not
7 limited to continued evidence of negative urinalysis and other behavior
8 which adheres to treatment goals.

9 § 2. Section 19.17 of the mental hygiene law is amended by adding a
10 new subdivision (h) to read as follows:

11 (h) (1) The office shall, in coordination with the department of
12 health, the department of social services, and the New York state
13 conference of local mental hygiene directors, establish a program to
14 provide contingency management services, as defined in subdivision three
15 of section 19.03 of this article for persons eligible for medical
16 assistance under title eleven of article five of the social services law
17 who suffer from or are recovering from a substance use disorder.

18 (2) Every local governmental unit as defined in section 41.03 of this
19 chapter shall submit a plan to the office for the coordination and
20 delivery of contingency management services in accordance with the
21 program established pursuant to paragraph one of this section.

22 (3) Notwithstanding any contrary provision of law, benefits paid on
23 behalf of an individual pursuant to this subdivision shall not be
24 considered income or resources for the purposes of any determinations of

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

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1 eligibility for any other state program or benefit, including but not
2 limited to medical assistance, any state or federal program, Medicaid,
3 or any other means-tested program or benefit.

4 (4) Notwithstanding any contrary provision of law, the commissioner
5 shall, to the extent necessary, develop and submit any appropriate waiv-
6 ers, including, but not limited to, those authorized pursuant to
7 sections eleven hundred fifteen and nineteen hundred fifteen of the
8 federal social security act, or successor provisions, and any other
9 waivers necessary to achieve the purposes of high quality, integrated,
10 and cost effective care and integrated financial eligibility policies
11 under the medical assistance program or pursuant to title XVIII of the
12 federal social security act. Copies of such original waiver applications
13 shall be provided to the chair of the senate finance committee and the
14 chair of the assembly ways and means committee simultaneously with their
15 submission to the federal government.

16 § 3. Subdivision 2 of section 365-a of the social services law is
17 amended by adding a new paragraph (ii) to read as follows:

18 (ii) contingency management services and supports provided pursuant to
19 article nineteen of the mental hygiene law.

20 § 4. This act shall take effect on the one hundred eightieth day after
21 it shall have become a law. Effective immediately, the addition, amend-
22 ment and/or repeal of any rule or regulation necessary for the implemen-
23 tation of this act on its effective date are authorized to be made and
24 completed on or before such effective date.