

STATE OF NEW YORK

7083

2023-2024 Regular Sessions

IN ASSEMBLY

May 10, 2023

Introduced by M. of A. CHANDLER-WATERMAN -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the mental hygiene law, the public health law and the executive law, in relation to establishing a training program for first responders for handling emergency situations involving individuals in emotional distress or experiencing an emotional or mental health crisis; and to amend the executive law, in relation to requiring documents utilized by state agencies, public authorities and municipalities to replace the term "emotionally disturbed person" with the term "person in crisis"

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 7.50 to read as follows:

3 § 7.50 First responder training.

4 (a) The commissioner, in consultation with the commissioner of health,
5 the office of fire prevention and control, the municipal police training
6 council, and the superintendent of state police, shall develop a train-
7 ing program and associated training materials, to provide instruction
8 and information to firefighters, police officers and emergency medical
9 services personnel on appropriate recognition and response techniques
10 for handling emergency situations involving individuals in emotional
11 distress or experiencing an emotional or mental health crisis. Such
12 training program and materials shall include training in sensitivity to
13 descriptive terms used with reference to the person in crisis; shall
14 require a person experiencing in emotional distress or experiencing an
15 emotional or mental health crisis to be referred to being a "person in
16 crisis"; and shall prohibit the use of the term "emotionally disturbed
17 person". The training program and associated training materials shall
18 include any other information deemed necessary and appropriate by the
19 commissioner.

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

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1 (b) Such training shall address appropriate response techniques for
2 dealing with both adults and minors in emotional distress or experienc-
3 ing an emotional or mental health crisis.

4 (c) Such training program may be developed as an online program.

5 § 2. The public health law is amended by adding a new section 3055 to
6 read as follows:

7 § 3055. Emergency situations involving individuals in emotional
8 distress or experiencing an emotional or mental health crisis. In coor-
9 ordination with the commissioner of the office of mental health, the
10 commissioner shall provide the training program relating to handling
11 emergency situations involving individuals in emotional distress or
12 experiencing an emotional or mental health crisis and associated
13 training materials pursuant to section 7.50 of the mental hygiene law
14 to all emergency medical services personnel including, but not
15 limited to, first responders, emergency medical technicians,
16 advanced emergency medical technicians and emergency vehicle operators.

17 § 3. Section 156 of the executive law is amended by adding a new
18 subdivision 23 to read as follows:

19 23. In coordination with the commissioner of the office of mental
20 health, provide the training program relating to handling emergency
21 situations involving individuals in emotional distress or experiencing
22 an emotional or mental health crisis and associated training materials
23 pursuant to section 7.50 of the mental hygiene law to all firefighters,
24 both paid and volunteer. The office shall adopt all necessary rules and
25 regulations relating to such training, including the process by which
26 training hours are allocated to counties as well as a uniform procedure
27 for requesting and providing additional training hours.

28 § 4. Section 840 of the executive law is amended by adding a new
29 subdivision 8 to read as follows:

30 8. The council shall, in addition:

31 (a) Develop, maintain and disseminate, in consultation with the
32 commissioner of the office of mental health, written policies and proce-
33 dures consistent with section 7.50 of the mental hygiene law, regarding
34 the handling of emergency situations involving individuals in emotional
35 distress or experiencing an emotional or mental health crisis. Such
36 policies and procedures shall make provisions for the education and
37 training of new and veteran police officers on the handling of emergency
38 situations involving individuals in emotional distress or experiencing
39 an emotional or mental health crisis; and

40 (b) Recommend to the governor, rules and regulations with respect to
41 the establishment and implementation on an ongoing basis of a training
42 program for all current and new police officers regarding the policies
43 and procedures established pursuant to this subdivision, along with
44 recommendations for periodic retraining of police officers.

45 § 5. The executive law is amended by adding a new section 214-i to
46 read as follows:

47 § 214-i. Emergency situations involving people in emotional distress
48 or experiencing an emotional or mental health crisis. The superintendent
49 shall, for all members of the state police:

50 1. Develop, maintain and disseminate, in consultation with the commis-
51 sioner of mental health, written policies and procedures consistent with
52 section 7.50 of the mental hygiene law, regarding the handling of emer-
53 gency situations involving individuals in emotional distress or experi-
54 encing an emotional or mental health crisis. Such policies and proce-
55 dures shall make provisions for the education and training of new and
56 veteran police officers on the handling of emergency situations involv-

1 ing individuals in emotional distress or experiencing an emotional or
2 mental health crisis; and

3 2. Recommend to the governor, rules and regulations with respect to
4 establishment and implementation on an ongoing basis of a training
5 program for all current and new police officers regarding the policies
6 and procedures established pursuant to this section, along with recom-
7 mendations for periodic retraining of police officers.

8 § 6. The executive law is amended by adding a new section 170-g to
9 read as follows:

10 § 170-g. Mental health references contained in state and municipal
11 forms. No form or preprinted document utilized by a state agency or
12 public authority or by a municipality shall use the term "emotionally
13 disturbed person" to identify or denote a person in emotional distress
14 or experiencing an emotional or mental health crisis. Any form or
15 preprinted document utilizing such term shall be amended no later than
16 January first, two thousand twenty-four to replace the term "emotionally
17 disturbed person" with the term "person in crisis" or to otherwise refer
18 to such persons as experiencing distress or an emotional or mental
19 health crisis.

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