

# STATE OF NEW YORK

8464--A

2023-2024 Regular Sessions

## IN ASSEMBLY

December 29, 2023

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Mental Health -- recommitted to the Committee on Mental Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to qualified mental health associates

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

1 Section 1. Section 7.07 of the mental hygiene law is amended by adding  
2 a new subdivision (i) to read as follows:

3 (i) The office either directly or through contract, shall develop  
4 training, approved educational courses, and a process for issuing  
5 credentials to persons meeting the minimum qualifications for a quali-  
6 fied mental health associate.

7 (1) A credentialed qualified mental health associate must meet the  
8 following minimum qualifications:

9 (i) A high school diploma;

10 (ii)(A) An Associate or Bachelor's degree in a behavioral sciences  
11 field; or

12 (B) A combination of at least three years relevant work, education,  
13 training or experience; and

14 (iii) Demonstrate the competency necessary to:

15 (A) promote recovery and communicate effectively to service recipients  
16 and professionals;

17 (B) understand mental health assessment, treatment and service termi-  
18 nology;

19 (C) provide psychosocial skills development;

20 (D) implement interventions included in an individual treatment plan  
21 of care;

22 (E) provide behavior management and case management duties; and

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

LBD13776-05-4

1 (F) provide support services related to crisis stabilization, medica-  
2 tion management and health monitoring.

3 (2) The office shall establish procedures for the establishment of  
4 appropriate fees, and to issue penalties, or suspend, revoke, or annul  
5 such credentials for cause any misconduct, other prohibited acts, or for  
6 the unauthorized use of the title qualified mental health associate. The  
7 commissioner shall also develop procedures for remedial action which may  
8 be used at the discretion of the commissioner.

9 (3) The commissioner shall establish a credentialing board which shall  
10 provide advice concerning the credentialing process under this subdivi-  
11 sion. The commissioner appointments shall be representative of the  
12 diverse mental health field, including but not limited to:

13 (i) consumers of mental health services or persons with lived experi-  
14 ence;

15 (ii) individuals who represent underserved populations, including  
16 urban and rural areas of the state; and

17 (iii) other credentialed and licensed mental health professionals.

18 (4) The commissioner shall promulgate rules and regulations for the  
19 purpose of effectuating the provisions under this subdivision.

20 (5) Nothing in this section shall be interpreted to allow a qualified  
21 mental health associate to act in a manner that would require a license,  
22 registration, or certification pursuant to title eight of the education  
23 law.

24 § 2. Section 7.03 of the mental hygiene law is amended by adding a new  
25 subdivision 3 to read as follows:

26 3. "Qualified mental health associate" or "QMHA" means an official  
27 designation identifying an individual as one who holds a registered and  
28 valid credential issued by the office pursuant to section 7.07 of this  
29 article which documents an individual's minimum qualifications to  
30 provide services and supports to individuals with a mental illness.  
31 Nothing in this subdivision shall be interpreted to allow a qualified  
32 mental health associate to act in a manner that would require a license,  
33 registration, or certification pursuant to title eight of the education  
34 law.

35 § 3. This act shall take effect immediately.