S T A T E O F N E W Y O R K

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2009-2010 Regular Sessions

I N A S S E M B L Y

March 18, 2009

Introduced by M. of A. P. RIVERA, LUPARDO, SCHROEDER, DINOWITZ, WEISENBERG, JAFFEE -- Multi-Sponsored by -- M. of A. HOOPER -- read once and referred to the Committee on Mental Health, Mental Retardation and Developmental Disabilities -- 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 -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to enact the "behavioral health and long-term care act" providing for the establishment of a behavioral health and long-term care plan

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Short title. This act shall be known and may be cited as the "behavioral health and long-term care act".

S 2. The behavioral health and long-term care plan. 1. The commissioner of mental health, in conjunction with the commissioner of health, the commissioner of alcoholism and substance abuse services, and the director of the office for the aging, shall develop and monitor the implementation of a behavioral health and long-term care plan. A subcommittee may be established through the interagency geriatric mental health and chemical dependency planning council to assist in the development of such plan.

(a) The behavioral health and long-term care plan shall include, but not be limited to:

(i) Coordination of provider services and interagency referrals of persons with a mental illness and/or chemical dependence, as defined in section 1.03 of the mental hygiene law, other than and in addition to dementia, who are in or who may be in need of long-term care,

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

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(ii) Recommendations for integrating and coordinating federal, state and local funding sources for behavioral health and long-term care,

(iii) Recommendations for facilitating research on best practices and model programs, and the dissemination of such information,

(iv) An increase in alternatives to nursing homes for adults with mental illness and/or chemical dependence who also need long-term care, and

(v) Support services for family caregivers who assist adults with mental illness and/or chemical dependence who also need long-term care in the community rather than in institutions such as adult homes, nursing homes, or psychiatric inpatient units.

(b) The behavioral health and long-term care plan shall provide for specific actions to be taken for its implementation, the number of people to be served, measurable phases for the implementation, and a time schedule for the achievement of such phases.

(c) The provisions of the behavioral health and long-term care plan shall be included in the statewide comprehensive plan of services for the mentally disabled pursuant to section 5.07 of the mental hygiene law.

2. On or before October 1, 2012, the commissioner of mental health shall submit a report to the governor, the temporary president of the senate, and the speaker of the assembly. On or before October 1, 2013, and annually until 2020, the commissioner of mental health shall submit a report to the governor, the temporary president of the senate, and the speaker of the assembly regarding the implementation of the plan including the number of people served and other measurable outcomes.

S 3. This act shall take effect on the sixtieth day after it shall have become a law.