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

April 14, 2009

Introduced by M. of A. AUBRY -- (at request of the Department of Correctional Services) -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to residential sex offender treatment programs

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

Section 1. Subdivision 4 of section 622 of the correction law, as added by chapter 7 of the laws of 2007, is amended to read as follows:

4. Each residential program shall be staffed with a licensed psychologist who shall provide clinical supervision to the treatment staff, review, approve and modify treatment plans as appropriate for individual inmates, provide clinical assessments for participating inmates, observe and participate in group sessions and make treatment recommendations. NOTWITHSTANDING THE FOREGOING, IF THE DEPARTMENT IS UNSUCCESSFUL IN ITS ATTEMPTS TO HIRE A LICENSED PSYCHOLOGIST FOR A PARTICULAR RESIDENTIAL PROGRAM, DESPITE HAVING MADE A DILIGENT AND SUSTAINED EFFORT AT RECRUITMENT, IT MAY IN THE ALTERNATIVE HIRE A PSYCHOLOGIST WHO OTHERWISE SATISFIES THE QUALIFICATIONS ESTABLISHED BY THE DEPARTMENT OF CIVIL SERVICE FOR THE POSITION OF PSYCHOLOGIST. Each residential program shall also be staffed with a licensed clinical social worker or other mental health professional who shall be knowledgeable about the administration of testing instruments that are designed to measure the degree of a sex offender's psychopathy and his or her program needs. The assigned [licensed] psychologist shall also be knowledgeable about the application of such testing instruments.

S 2. This act shall take effect immediately.

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

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