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I N A S S E M B L Y

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Introduced by M. of A. P. RIVERA, CUSICK, EDDINGTON, LUPARDO, FIELDS, WEISENBERG, MAISEL, LANCMAN, CHRISTENSEN, BRADLEY, BURLING, GUNTHER, JACOBS, BOYLAND, ERRIGO, KOON, McKEVITT, MOLINARO, REILLY, JAFFEE, WALKER, ALFANO, ROSENTHAL, SCOZZAFAVA, SPANO, SCHIMEL, MILLMAN, PEOPLES, PHEFFER, BENEDETTO, MAGNARELLI, CAHILL, FINCH, DESTITO, MORELLE, ORTIZ, CLARK, ESPAILLAT, ALESSI, HOOPER, SCHROEDER, PERRY, ZEBROWSKI -- Multi-Sponsored by -- M. of A. BACALLES, BRENNAN, COLTON, CROUCH, CYMBROWITZ, DelMONTE, DIAZ, DUPREY, GIGLIO, HIKIND, HYER-SPENCER, LIFTON, McDONOUGH, McENENY, ROBINSON, SALADINO, SAYWARD, SCHIMMINGER, SWEENEY, THIELE, TOWNSEND, WEINSTEIN, WRIGHT -- read once and referred to the Committee on Mental Health, Mental Retardation and Developmental Disabilities

AN ACT to create a course of instruction to train mental health providers in veteran specific mental health issues

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "veterans mental health training initiative".
3 S 2. Legislative intent. The legislature finds and declares that the
4 state of New York and the country at large are facing a formidable chal-
5 lenge in serving the mental health needs of veterans returning from
6 active duty in Iraq and Afghanistan. Since the beginning of Operation
7 Enduring Freedom and Operation Iraqi Freedom, over one and a half
8 million active duty and reserve members of the United States military
9 have been deployed to Iraq or Afghanistan, and nearly one-half million
10 have been redeployed. With each deployment, our service members encount-
11 er extreme strains on their physical and mental health, which, in many
12 cases have resulted in unprecedented rates of health and mental health
13 problems, most notably post-traumatic stress disorder (PTSD) and trau-
14 matic brain injury (TBI). Equally alarming, are numerous reports of
15 increased suicide, addiction and homelessness among our returning

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

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1 soldiers. Further, family members are struggling with the ramifications
2 of extended and/or multiple deployments, resulting in serious emotional
3 and psychological tolls.

4 In addition to high rates of PTSD, providers in the mental health
5 community have also begun reporting increased cases of traumatic brain
6 injury sustained in the Iraq and Afghanistan theatres of combat due in
7 large part to the use of improvised explosive devices (IED). Equally
8 disturbing is the rate at which TBI has been misdiagnosed as PTSD.
9 Numerous reports have told the story of soldiers returning from Iraq and
10 Afghanistan with brain trauma, but because there are no visible head
11 wounds, symptoms such as memory loss and confusion are often mistaken as
12 indicators of PTSD.

13 Many returning service members, particularly National Guard and
14 Reserves, are not accessing services from the federal veterans adminis-
15 tration or through the department of defense tricare system upon return-
16 ing home; but rather, through community-based organizations and agen-
17 cies. Therefore, community-based providers are experiencing an influx of
18 returning service members for whom they are not entirely prepared to
19 provide treatment.

20 To assure that such care be provided by an adequately trained mental
21 health workforce, the state shall, through an open grant process, engage
22 associations of social workers to train mental health providers in the
23 identification, diagnosis, and course of treatment for combat related
24 PTSD, TBI and other mental health issues, including substance abuse.
25 This course shall also serve to educate service members and family
26 members of service members in accessing mental health and psychosocial
27 services.

28 S 3. The division of veterans' affairs shall:

29 a. through an open and competitive process award a grant of no less
30 than \$500,000.00 for the purpose of training social workers, of all
31 classifications, in a course of study related to the diagnosis and
32 treatment of post-traumatic stress disorder (PTSD), traumatic brain
33 injury (TBI) and combat related mental health issues, including
34 substance abuse. This grant shall be distributed in the amount of
35 \$250,000.00 at the beginning of each state fiscal year, for two years,
36 starting in 2009; however, a sum to be determined by the division of
37 veterans' affairs may be forwarded for future years' expenditures if it
38 is determined to be necessary for the proper implementation of the
39 program; and

40 b. have the power to audit such association to ensure the proper
41 expenditure of state funds.

42 S 4. The association receiving such grant pursuant to section three of
43 this act shall:

44 a. conduct a course of study consistent with national and state guide-
45 lines regarding the diagnosis and treatment of PTSD, TBI and combat
46 related mental health issues to include substance abuse;

47 b. conduct this course of study in multiple locations across the
48 state;

49 c. produce a yearly report to the legislature, the division of veter-
50 ans' affairs, office of mental health and the office of alcoholism and
51 substance abuse services regarding the progress, expenditures and effec-
52 tiveness of the program;

53 d. conduct this course of study in direct consultation with the divi-
54 sion of veterans' affairs; and

55 e. provide a certified continuing education course on veteran specific
56 mental health issues, to be made available online.

1 S 5. The office of mental health and the office of alcoholism and
2 substance abuse services shall:
3 a. consult with the division of veterans' affairs and provide guide-
4 lines necessary for the proper implementation of this program; and
5 b. have the power to make recommendations to the legislature as to the
6 effectiveness and future need for such a program.
7 S 6. The department of education shall require, as part of continuing
8 education for social workers, a course of study related to the diagnosis
9 and treatment of PTSD, TBI and combat related mental health issues,
10 including substance abuse.
11 S 7. This act shall take effect on the sixtieth day after it shall
12 have become a law; provided, however, that effective immediately, the
13 addition, amendment and/or repeal of any rule or regulation necessary
14 for the implementation of this act on its effective date is authorized
15 and directed to be made and completed on or before such effective date.