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

6042

2009-2010 Regular Sessions

I N A S S E M B L Y

February 24, 2009

Introduced by M. of A. KOON, GUNTHER, REILLY, EDDINGTON, MARKEY, HOOPER, SCOZZAFAVA, SCHROEDER -- Multi-Sponsored by -- M. of A. ALFANO, BOYLAND, CHRISTENSEN, CROUCH, ERRIGO, FINCH, GABRYSZAK, GIGLIO, HYER-SPENCER, JOHN, MAISEL, McDONOUGH, MOLINARO, PHEFFER, SWEENEY, TOWNSEND, WALKER, WEISENBERG -- read once and referred to the Committee on Mental Health, Mental Retardation and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to providing additional discharge planning for persons being released from civil confinement

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

Section 1. Section 10.09 of the mental hygiene law is amended by adding a new subdivision (i) to read as follows:

(I) IF THE COURT DISCHARGES THE RESPONDENT FROM CONFINEMENT THEN THE COURT SHALL ORDER THE DIRECTOR OF THE SECURE TREATMENT FACILITY TO PREPARE A DISCHARGE PLAN TO ENSURE THAT THE RESPONDENT IS DISCHARGED TO THE COMMUNITY OF HIS OR HER RESIDENCE PRIOR TO CONVICTION OR COMMITMENT AS APPROPRIATE, AND HAS SUITABLE CLOTHING ADAPTED TO THE SEASON IN WHICH HE OR SHE IS DISCHARGED NOT TO EXCEED SIXTY-FIVE DOLLARS IN VALUE AND TRANSPORTATION TO SUCH RESIDENCE OR SUCH OTHER PLACE AS THE COMMISSIONER MAY DESIGNATE. SUCH PLAN SHALL ALSO INCLUDE REFERRAL TO ANY SERVICES WHICH THE COMMISSIONER DEEMS APPROPRIATE IN THE COMMUNITY OF RESIDENCE, INCLUDING MEDICATION, AFTERCARE SERVICES AND ASSISTANCE IN FINDING EMPLOYMENT FOLLOWING DISCHARGE AS PROVIDED IN SECTION 29.15 OF THIS CHAPTER.

S 2. Section 10.11 of the mental hygiene law is amended by adding a new subdivision (i) to read as follows:

(I) IF THE COURT DISCHARGES THE RESPONDENT FROM THE REGIMEN OF STRICT AND INTENSIVE SUPERVISION THEN THE COURT SHALL ORDER THE DIRECTOR OF THE SECURE TREATMENT FACILITY TO PREPARE A DISCHARGE PLAN TO ENSURE THAT THE RESPONDENT IS DISCHARGED TO THE COMMUNITY OF HIS OR HER RESIDENCE PRIOR

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

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TO CONVICTION OR COMMITMENT AS APPROPRIATE, AND HAS SUITABLE CLOTHING ADAPTED TO THE SEASON IN WHICH HE OR SHE IS DISCHARGED NOT TO EXCEED SIXTY-FIVE DOLLARS IN VALUE AND TRANSPORTATION TO SUCH RESIDENCE OR SUCH OTHER PLACE AS THE COMMISSIONER MAY DESIGNATE. SUCH PLAN SHALL ALSO INCLUDE REFERRAL TO ANY SERVICES WHICH THE COMMISSIONER DEEMS APPROPRIATE IN THE COMMUNITY OF RESIDENCE, INCLUDING MEDICATION, AFTERCARE SERVICES AND ASSISTANCE IN FINDING EMPLOYMENT FOLLOWING DISCHARGE AS PROVIDED IN SECTION 29.15 OF THIS CHAPTER.

S 3. This act shall take effect immediately.