

8760

2009-2010 Regular Sessions

I N   A S S E M B L Y

June 5, 2009

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Introduced by M. of A. ORTIZ -- read once and referred to the Committee  
on Veterans' Affairs

AN ACT to amend the executive law and the mental hygiene law, in  
relation to enacting the "behavioral health services for veterans act"

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

1     Section 1. This act shall be known and may be cited as the "behavioral  
2     health services for veterans act".

3     S 2. The executive law is amended by adding a new section 368 to read  
4     as follows:

5     S 368. BEHAVIORAL HEALTH SERVICES FOR VETERANS ADVISORY BOARD. 1.  
6     THERE IS HEREBY ESTABLISHED WITHIN THE DIVISION, A BEHAVIORAL HEALTH  
7     SERVICES FOR VETERANS ADVISORY BOARD. SUCH BOARD SHALL CONSIST OF NINE  
8     MEMBERS, THREE OF WHOM SHALL BE APPOINTED BY THE GOVERNOR, TWO OF WHOM  
9     SHALL BE APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE, TWO OF WHOM  
10    SHALL BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY, ONE OF WHOM SHALL BE  
11    APPOINTED BY THE MINORITY LEADER OF THE SENATE AND ONE OF WHOM SHALL BE  
12    APPOINTED BY THE MINORITY LEADER OF THE ASSEMBLY. SUCH MEMBERS SHALL  
13    SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY. VACANCIES ON THE  
14    BOARD SHALL BE FILLED IN THE MANNER OF THE ORIGINAL APPOINTMENT. MEMBERS  
15    OF THE BOARD SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES BUT SHALL  
16    BE REIMBURSED FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORM-  
17    ANCE OF THEIR DUTIES.

18    2. THE BEHAVIORAL HEALTH SERVICES FOR VETERANS ADVISORY BOARD SHALL  
19    STUDY AND ANALYZE BOTH THE ADEQUACY OF EXISTING AND THE NEED FOR NEW  
20    BEHAVIORAL HEALTH SERVICES FOR VETERANS. IN PROVIDING SUCH ANALYSIS, THE  
21    BOARD SHALL WORK IN COOPERATION WITH THE DIVISION, THE OFFICE OF ALCO-  
22    HOLISM AND SUBSTANCE ABUSE SERVICES AND THE DEPARTMENT OF MENTAL  
23    HYGIENE. THE BOARD SHALL REPORT THE FINDINGS OF SUCH STUDY TO THE GOVER-  
24    NOR AND THE LEGISLATURE ALONG WITH RECOMMENDATIONS IT DEEMS NECESSARY

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

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FOR EXPANDED AND IMPROVED BEHAVIORAL HEALTH SERVICES ON OR BEFORE OCTOBER FIRST, TWO THOUSAND NINE.

S 3. The mental hygiene law is amended by adding a new section 19.43 to read as follows:

S 19.43 BEHAVIORAL HEALTH SERVICES FOR VETERANS.

(A) THE OFFICE, IN COOPERATION WITH THE DEPARTMENT AND THE DIVISION OF VETERANS' AFFAIRS, SHALL ESTABLISH WITHIN EVERY COUNTY WITHIN THE STATE, ACCESS TO BEHAVIORAL HEALTH SERVICES FOR VETERANS. IN ESTABLISHING SUCH ACCESS, THE OFFICE SHALL PROVIDE TREATMENT ON AN INPATIENT, OUTPATIENT AND RESIDENTIAL BASIS, THAT SHALL INCLUDE, BUT NOT BE LIMITED TO, PHARMACOTHERAPY FOR ALCOHOL DEPENDENCE, OPIOID DEPENDENCE AND OTHER CHEMICAL DEPENDENCE AND SUBSTANCE ABUSE DISORDERS.

(B) STAFF PROVIDING BEHAVIORAL HEALTH SERVICES TO VETERANS SHALL RECEIVE TRAINING IN THE SPECIFIC NEEDS OF VETERANS WITH RESPECT TO CHEMICAL DEPENDENCIES AND SUBSTANCE ABUSE DISORDERS AND SHALL BE EXPANDED WHEN NEEDED TO ADEQUATELY PROVIDE SUCH SERVICES.

(C) IN ADDITION TO THE SERVICES SET FORTH IN SUBDIVISION (A) OF THIS SECTION, THE OFFICE SHALL PROVIDE THE FOLLOWING SERVICES:

1. COORDINATION OF SERVICES BY AN INDIVIDUAL CARE COORDINATOR FOR EACH VETERAN WHO SEEKS SERVICES;

2. SCREENING AND ASSESSMENT FOR POST TRAUMATIC STRESS DISORDER, TRAUMATIC BRAIN INJURY, DEPRESSION AND POTENTIAL FOR SUICIDE;

3. AGENCY NETWORKING TO PROVIDE VETERANS WITH CONSISTENT TREATMENT THROUGHOUT THE STATE AND THE VETERANS ADMINISTRATION;

4. TRANSPORTATION TO AND FROM THE SERVICES PROVIDED BY THIS SECTION;

5. EVALUATION OF CLINICAL PRACTICES SPECIFIC TO VETERANS; AND

6. COORDINATION OF PATIENT CARE SERVICES.

(D) THE OFFICE IS HEREBY AUTHORIZED AND DIRECTED TO PROMULGATE RULES AND REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION.

S 4. This act shall take effect immediately; provided that section two of this act shall take effect April 1, 2010; and provided further that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made and completed on or before such date.