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

8017--A

2011-2012 Regular Sessions

I N A S S E M B L Y

May 27, 2011

Introduced by M. of A. CASTELLI, JORDAN -- Multi-Sponsored by -- M. of A. CALHOUN, SALADINO -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state technology law, in relation to establishing a statewide information and referral system; and to amend the public health law, in relation to requiring the department of public health to create a directory of services and a reintegration counseling program for servicemembers and to coordinate service referrals with the statewide information and referral system

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

Section 1. The state technology law is amended by adding a new article 5 to read as follows:

ARTICLE V

STATEWIDE INFORMATION AND REFERRAL SYSTEM

SECTION 501. STATEWIDE INFORMATION AND REFERRAL SYSTEM.
502. REGIONAL CALL CENTERS.
503. USE OF "211" PHONE NUMBER.
504. REGULATION AND OVERSIGHT.

S 501. STATEWIDE INFORMATION AND REFERRAL SYSTEM. THERE IS HEREBY ESTABLISHED IN THE OFFICE A STATEWIDE INFORMATION AND REFERRAL SYSTEM TO PROVIDE A STATEWIDE NETWORK OF COMMUNITY INFORMATION AND REFERRAL SERVICES TO RESIDENTS IN NEED OF HEALTH AND HUMAN SERVICES INFORMATION, INCLUDING BUT NOT LIMITED TO INFORMATION REGARDING CHILD CARE, AGING, DISABILITY, MENTAL HEALTH AND PUBLIC ASSISTANCE. SUCH MONEYS AS MAY BE NECESSARY TO EFFECTUATE THE PURPOSES OF THIS ARTICLE MAY BE APPROPRIATED TO THE OFFICE FOR ITS EXPENSES.

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

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S 502. REGIONAL CALL CENTERS. 1. THE OFFICE, IN CONSULTATION WITH THE PUBLIC SERVICE COMMISSION, MAY APPROVE UP TO TWELVE REGIONAL CALL CENTERS TO COMPRISE THE STATEWIDE INFORMATION AND REFERRAL SYSTEM ESTABLISHED PURSUANT TO THIS ARTICLE.

2. EACH CALL CENTER SHALL HAVE:

(A) A COMPUTERIZED INFORMATION AND REFERRAL DATABASE WITH CALL TRACKING CAPABILITY, WITH SPECIFIC STAFF EMPLOYED FOR INFORMATION AND REFERRAL DATABASE MAINTENANCE AND A STRUCTURED ROUTINE FOR UPDATING DATABASE INFORMATION;

(B) TWENTY-FOUR HOUR PER DAY, SEVEN DAY PER WEEK ACCESSIBILITY TO DIRECT CONNECTION WITH AN INFORMATION SPECIALIST IN LIVE TIME;

(C) ABILITY TO LAUNCH AND MAINTAIN AN INTERACTIVE INTERNET APPLICATION, AND RESPOND TO CONSUMER INQUIRIES VIA COMPUTER-BASED TELECOMMUNICATION WHEN SUCH COMPUTER-BASED TELECOMMUNICATION WILL BE THE MOST EFFICACIOUS METHOD OF RESPONSE;

(D) ABILITY TO MEASURE ALL ACCESS POINTS TO CALL CENTER INFORMATION, INCLUDING ACCESS TO A TELEPHONE REPORTING SYSTEM AND A WEBSITE REPORTING SYSTEM;

(E) AUTOMATED CALL DISTRIBUTION CAPABILITY, OR THE ABILITY TO UPGRADE TO SUCH CAPABILITY;

(F) TELETYPEWRITER AND MULTILINGUAL ACCESSIBILITY, EITHER ON SITE OR THROUGH AN OFF SITE TRANSLATION SERVICE;

(G) A STRUCTURED TRAINING CURRICULUM FOR INFORMATION SPECIALISTS;

(H) ACCREDITATION OR A PENDING APPLICATION FOR ACCREDITATION WITH THE ALLIANCE OF INFORMATION AND REFERRAL SYSTEMS, INC.;

(I) APPROPRIATE STAFF-TO-CALL VOLUME RATIO;

(J) ABILITY TO PUBLICIZE AND EDUCATE THE PUBLIC ON AN ONGOING BASIS CONCERNING THE APPLICABLE ACCESS NUMBER;

(K) ABILITY TO ADDRESS CRISIS CALLS ON SITE, OR LINKAGE THROUGH PROTOCOL WITH A LOCAL CRISIS CENTER;

(L) ABILITY TO PROCESS VOLUNTEER OR DONATION REQUEST CALL, OR LINKAGE THROUGH PROTOCOL WITH AN APPROPRIATE CLEARINGHOUSE; AND

(M) MEET SUCH OTHER CRITERIA AS SHALL BE DETERMINED BY REGULATION OF THE OFFICE, IN CONSULTATION WITH THE PUBLIC SERVICE COMMISSION.

S 503. USE OF "211" PHONE NUMBER. THE OFFICE SHALL COLLABORATE WITH THE PUBLIC SERVICE COMMISSION TO ASSIGN THE TELEPHONE DIGITS 2-1-1 TO THE STATEWIDE INFORMATION AND REFERRAL SYSTEM ESTABLISHED PURSUANT TO THIS ARTICLE.

S 504. REGULATION AND OVERSIGHT. 1. THE OFFICE SHALL PROMULGATE ANY RULES AND REGULATIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS ARTICLE. THE OFFICE SHALL OVERSEE THE ADMINISTRATION OF THE STATEWIDE INFORMATION AND REFERRAL SYSTEM AND REGIONAL CALL CENTERS ESTABLISHED PURSUANT TO SECTIONS FIVE HUNDRED ONE AND FIVE HUNDRED TWO OF THIS ARTICLE. SUCH OFFICE MAY CONTRACT WITH ONE OR MORE NONPROFIT ENTITIES WHICH HAVE A DEMONSTRATED INTEREST IN STATEWIDE INFORMATION AND REFERRAL SYSTEMS TO UNDERTAKE THE DUTIES DELINEATED IN THIS ARTICLE.

2. THE OFFICE, IN CONSULTATION WITH THE COMMISSIONER OF HEALTH, SHALL PROMULGATE RULES AND REGULATIONS TO INCORPORATE AND COMBINE EXISTING STATE-OPERATED PHONE-BASED SERVICES THAT PROVIDE HELP OR ACCESS TO HEALTH AND HUMAN SERVICES INTO THE STATEWIDE INFORMATION AND REFERRAL SYSTEM AND REGIONAL CALL CENTERS ESTABLISHED PURSUANT TO SECTIONS FIVE HUNDRED ONE AND FIVE HUNDRED TWO OF THIS ARTICLE.

S 2. The office for technology shall provide a report on its progress to the governor and the legislature within twelve months of the effective date of this act, and at annual intervals thereafter.

S 3. The article heading of article 38 of the public health law, as added by chapter 1135 of the laws of 1971, is amended to read as follows:

VETERANS HEALTH [MANPOWER CENTER]

S 4. Section 3803 of the public health law, as amended by chapter 743 of the laws of 2006, is amended to read as follows:

S 3803. Veterans health care information AND SERVICE REFERRAL program. 1. There is hereby created within the department the veterans health care information AND SERVICE REFERRAL program (referred to in this section as the "program"), which shall provide information on health issues associated with military duty, including but not limited to Agent Orange, Gulf War Syndromes, toxic materials or harmful physical agents such as, depleted uranium, and hepatitis C, for veterans, their surviving spouses and health care providers AND REFERRALS TO SERVICEMEMBERS AND THEIR FAMILIES FOR REINTEGRATION SERVICES.

2. The program shall include but not be limited to the following elements:

(a) public service announcements;

(b) [establishment of a toll-free telephone hotline] COORDINATION WITH THE STATEWIDE INFORMATION AND REFERRAL SYSTEM to provide information regarding health care providers and treatment centers with expertise in illnesses associated with military duty; [and]

(c) establish a veterans health information clearing house on-line.

3. THE PROVISION OF INFORMATION AND SERVICE REFERRAL PURSUANT TO THIS SECTION THROUGH THE STATEWIDE INFORMATION AND REFERRAL SYSTEM MUST INCLUDE:

(A) INFORMATION REGARDING COUNSELING SERVICES THAT:

(I) FACILITATE THE REINTEGRATION OF THE SERVICEMEMBER INTO CIVILIAN AND FAMILY LIFE;

(II) IDENTIFY AND TREAT STRESS DISORDERS, TRAUMA, AND TRAUMATIC BRAIN INJURY;

(III) ADDRESS PARENTING AND FAMILY WELL-BEING, EMPLOYMENT, AND SUBSTANCE ABUSE ISSUES; AND

(IV) PROVIDE CRISIS INTERVENTION SERVICES;

(B) TO THE GREATEST DEGREE POSSIBLE IN THE JUDGMENT OF THE DEPARTMENT, ALL PRIVATE AND PUBLIC COMMUNITY, STATE, AND NATIONAL RESOURCES THAT PROTECT AND PROMOTE THE HEALTH AND WELL-BEING OF SERVICEMEMBERS AND THEIR IMMEDIATE FAMILY AND THAT ARE ACCESSIBLE IN THE STATE DIRECTLY OR THROUGH ELECTRONIC MEDIA, PRINT MEDIA, OR THE INTERNET; AND

(C) OTHER RESOURCES THAT SUPPORT THE HEALTH OF SERVICEMEMBERS AND THEIR FAMILIES.

4. THE PROVISION OF INFORMATION AND SERVICE REFERRAL PURSUANT TO THIS SECTION THROUGH THE STATEWIDE INFORMATION AND REFERRAL SYSTEM SHALL BE ORGANIZED IN A MANNER THAT ALLOWS A PERSON TO LOCATE SERVICES IN A SPECIFIC COMMUNITY IN THE STATE.

5. In exercising any of his or her powers under this section, the commissioner shall consult with appropriate health care professionals, providers, veterans or organizations representing them, the division of veterans' affairs, the federal department of veterans' affairs and the United States defense department.

[4.] 6. The commissioner may make rules and regulations necessary and appropriate for the implementation of this section.

S 5. The public health law is amended by adding four new sections 3800-a, 3804, 3805 and 3806 to read as follows:

S 3800-A. DEFINITIONS. AS USED IN THIS ARTICLE:

1. "ACTIVE DUTY" MEANS THAT A SERVICEMEMBER IS ACTIVATED AND DEPLOYED OUTSIDE THE STATE PURSUANT TO FEDERAL ORDERS UNDER TITLE TEN OR THIRTY-TWO OF THE UNITED STATES CODE.

2. "SERVICEMEMBER" MEANS A RESIDENT OF THIS STATE WHO IS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES, INCLUDING THE NEW YORK NATIONAL GUARD, WHO IS A RESIDENT OF THIS STATE.

3. "STATEWIDE INFORMATION AND REFERRAL SYSTEM" MEANS THE CALL NETWORK ESTABLISHED PURSUANT TO ARTICLE FIVE OF THE STATE TECHNOLOGY LAW.

4. "VETERAN" MEANS A PERSON, MALE OR FEMALE, RESIDENT OF THIS STATE, WHO HAS SERVED IN THE ACTIVE MILITARY, NAVAL OR AIR SERVICE OF THE UNITED STATES DURING A TIME OF WAR IN WHICH THE UNITED STATES ENGAGED AND WHO HAS BEEN RELEASED FROM SUCH SERVICE OTHERWISE THAN BY DISHONORABLE DISCHARGE, OR WHO HAS BEEN FURLOUGHED TO THE RESERVE.

S 3804. DIRECTORY OF SERVICES. 1. THE DEPARTMENT SHALL COMPILE, MAINTAIN, AND DISSEMINATE THROUGH THE STATEWIDE INFORMATION AND REFERRAL SYSTEM AND THROUGH OTHER APPROPRIATE MEDIA, A DIRECTORY OF SERVICES AND OTHER RESOURCES, TOOLS, AND COUNSELING PROGRAMS AVAILABLE TO SERVICEMEMBERS AND THEIR IMMEDIATE FAMILY.

2. THE DIRECTORY MUST INCLUDE:

(A) INFORMATION REGARDING COUNSELING SERVICES THAT:

(I) FACILITATE THE REINTEGRATION OF THE SERVICEMEMBER INTO CIVILIAN AND FAMILY LIFE;

(II) IDENTIFY AND TREAT STRESS DISORDERS, TRAUMA, AND TRAUMATIC BRAIN INJURY;

(III) ADDRESS PARENTING AND FAMILY WELL-BEING, EMPLOYMENT, AND SUBSTANCE ABUSE ISSUES; AND

(IV) PROVIDE CRISIS INTERVENTION SERVICES.

(B) TO THE GREATEST DEGREE POSSIBLE IN THE JUDGMENT OF THE DEPARTMENT, ALL PRIVATE AND PUBLIC COMMUNITY, STATE, AND NATIONAL RESOURCES THAT PROTECT AND PROMOTE THE HEALTH AND WELL-BEING OF SERVICEMEMBERS AND THEIR IMMEDIATE FAMILY AND THAT ARE ACCESSIBLE IN THE STATE DIRECTLY OR THROUGH ELECTRONIC MEDIA, PRINT MEDIA, OR THE INTERNET; AND

(C) OTHER RESOURCES THAT SUPPORT THE HEALTH OF SERVICEMEMBERS AND THEIR FAMILIES.

3. THE DEPARTMENT SHALL ORGANIZE THE DIRECTORY IN A MANNER THAT ALLOWS A PERSON TO LOCATE SERVICES IN A SPECIFIC COMMUNITY IN THE STATE.

4. THE DEPARTMENT SHALL DEVELOP AND MAINTAIN THE DIRECTORY IN COLLABORATION WITH LOCAL, STATE, AND NATIONAL PRIVATE AND GOVERNMENT ORGANIZATIONS, INCLUDING APPROPRIATE HEALTH CARE PROFESSIONALS, PROVIDERS, VETERANS OR ORGANIZATIONS REPRESENTING THEM, THE DIVISION OF VETERANS' AFFAIRS, THE FEDERAL DEPARTMENT OF VETERANS' AFFAIRS, THE UNITED STATES DEFENSE DEPARTMENT AND OTHER PUBLIC AND PRIVATE NATIONAL AND COMMUNITY-BASED ORGANIZATIONS THAT PROVIDE SUPPORT TO SERVICEMEMBERS AND THEIR FAMILIES.

5. THE DEPARTMENT SHALL PROVIDE THE DIRECTORY TO THE STATEWIDE INFORMATION AND REFERRAL SYSTEM IN THE TIME PERIODS AND IN THE MANNER AND FORMAT SPECIFIED BY THE OFFICE FOR TECHNOLOGY.

6. THE DEPARTMENT SHALL PROVIDE THE DIRECTORY ON THE DEPARTMENT'S WEBSITE OR THROUGH LINKS APPEARING ON THE DEPARTMENT'S WEBSITE.

S 3805. SERVICE REFERRAL PROGRAM. 1. THE DEPARTMENT SHALL DEVELOP A PROGRAM TO PROVIDE REFERRALS TO SERVICEMEMBERS FOR REINTEGRATION SERVICES.

2. THE PROGRAM SHALL:

(A) IDENTIFY AND MAKE REFERRALS TO COMMUNITY-BASED ORGANIZATIONS THAT HAVE EXISTING PROGRAMS THAT PROVIDE REINTEGRATION SERVICES TO SERVICEMEMBERS AND THEIR FAMILIES;

(B) FOCUS ON EARLY INTERVENTION AND APPROPRIATE REFERRAL TO PROMOTE THE HEALTH OF SERVICEMEMBERS AND THE CHILDREN AND OTHER FAMILY MEMBERS OF THE SERVICEMEMBERS;

(C) PROMOTE FAMILY COHESION AND SUSTAINABILITY;

(D) BE BASED ON EVIDENCE-BASED BEST PRACTICES RELATED TO MEETING THE NEEDS OF SERVICEMEMBERS AND THE CHILDREN AND OTHER FAMILY MEMBERS OF THE SERVICEMEMBERS;

(E) BE CARRIED OUT, WHEN APPROPRIATE, IN A COMMUNITY SETTING THROUGH PEER COUNSELING AND OTHER MEANS EFFECTIVE FOR COMMUNITY OUTREACH;

(F) USE EXISTING SERVICE DELIVERY FACILITIES, INCLUDING CHURCHES, AND VETERANS CENTERS AND SUPPORT FACILITIES;

(G) USE COMMUNITY-BASED AND FAITH-BASED ORGANIZATIONS;

(H) BE DEVELOPED AND ADMINISTERED IN A MANNER THAT PROMOTES COLLABORATION OF SERVICE PROVIDERS AND RESULTS IN THE REFERRAL OF SERVICEMEMBERS, THEIR CHILDREN, AND OTHER FAMILY MEMBERS TO THE APPROPRIATE FEDERAL, STATE, AND COMMUNITY SERVICES FOR WHICH THEY ARE ELIGIBLE; AND

(I) PROVIDE INFORMATION AND REFERRAL SERVICES REGARDING THE RISKS AND CONSEQUENCES OF TRAUMA, INCLUDING POST-TRAUMATIC STRESS DISORDER, TRAUMATIC BRAIN INJURY, AND OTHER CONDITIONS FOR WHICH SERVICEMEMBERS ARE AT RISK.

3. THE DEPARTMENT SHALL ENSURE THAT:

(A) EACH PERSON WHO PROVIDES REFERRALS TO SERVICEMEMBERS UNDER THE REFERRAL PROGRAM HAS RECEIVED SUFFICIENT TRAINING TO ENSURE THAT SERVICEMEMBERS RECEIVE ACCURATE INFORMATION; AND

(B) SERVICEMEMBERS ARE NOTIFIED IN A TIMELY MANNER ABOUT THE SERVICE REFERRAL PROGRAM.

4. IN DEVELOPING THE REFERRAL PROGRAM, THE DEPARTMENT SHALL CONSULT WITH APPROPRIATE HEALTH CARE PROFESSIONALS, PROVIDERS, VETERANS OR ORGANIZATIONS REPRESENTING THEM, THE DIVISION OF VETERANS' AFFAIRS, THE FEDERAL DEPARTMENT OF VETERANS' AFFAIRS AND THE UNITED STATES DEFENSE DEPARTMENT.

S 3806. REINTEGRATION COUNSELING PROGRAM. THE COMMISSIONER, IN CONSULTATION WITH THE ADJUTANT GENERAL, SHALL DEVELOP AND IMPLEMENT A STATEWIDE REINTEGRATION COUNSELING PROGRAM FOR SERVICEMEMBERS AND THEIR IMMEDIATE FAMILIES. THE PROGRAM SHALL:

1. BE AVAILABLE TO A SERVICEMEMBER AND THE SERVICEMEMBER'S IMMEDIATE FAMILY FROM THE BEGINNING DATE OF ACTIVE DUTY UNTIL ONE YEAR AFTER THE DATE OF THE SERVICEMEMBER'S RETURN OR DEACTIVATION, WHICHEVER IS LATER; AND

2. INCLUDE COUNSELING SERVICES DESIGNED TO FACILITATE THE REINTEGRATION OF THE SERVICEMEMBER BACK INTO CIVILIAN AND FAMILY LIFE.

S 6. This act shall take effect July 1, 2012; provided, however, 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 are authorized and directed to be made and completed on or before such effective date.