

3251

2011-2012 Regular Sessions

I N   S E N A T E

February 14, 2011

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Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to adding representatives of a dual diagnosis program to the advisory council on alcoholism and substance abuse services

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

1     Section 1. Subdivision (a) of section 19.05 of the mental hygiene law,  
2     as amended by chapter 259 of the laws of 2008, is amended to read as  
3     follows:  
4     (a) The council shall consist of the commissioner of alcoholism and  
5     substance abuse services, or his or her designee who shall not have the  
6     right to vote, the chairman of the conference of local mental hygiene  
7     directors or his or her designee, and [twenty-six] THIRTY members  
8     appointed by the governor by and with the advice and consent of the  
9     senate. The council shall include at least three members from each  
10    appellate division. The governor shall designate one of the appointed  
11    members of the council as chair, who shall serve as such for a three  
12    year term. The council shall elect a vice-chair, who shall serve as such  
13    for a three year term. Membership shall be representative of the public,  
14    shall have broad programmatic and geographic representation, shall  
15    include both not-for-profit and proprietary alcoholism and substance  
16    abuse providers of services, and shall include:  
17    (1) ten consumer representatives, including persons who are recovering  
18    from alcohol and/or substance abuse or significant others of patients or  
19    former patients or patient advocates, or representatives of advocacy and  
20    prevention organizations;  
21    (2) ten representatives of providers of services to persons who abuse  
22    or are dependent on alcohol and/or substances or engage in problem  
23    gambling, including but not limited to representatives of free standing

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

LBD05073-01-1

1 inpatient alcoholism or substance abuse facilities, general hospitals,  
2 residential facilities for persons who abuse or are dependent on alcohol  
3 and/or substances, methadone maintenance programs, outpatient facilities  
4 for persons who abuse or are dependent on alcohol and/or substances, and  
5 prevention and gambling programs, at least one of whom shall be a physi-  
6 cian and not more than two shall represent each group of facilities;  
7 [and]

8 (3) six representatives of public and private payors of alcoholism  
9 and/or substance abuse treatment including insurers, hospital, health,  
10 and medical service corporations that pay for alcoholism and/or  
11 substance abuse treatment, self-insured employee benefit plans, union  
12 welfare fund benefit plans, and state and local government agencies  
13 which pay for alcoholism or substance abuse treatment, at least one of  
14 whom shall represent a hospital service corporation;

15 (4) TWO REPRESENTATIVES OF A DUAL DIAGNOSIS PROGRAM OR SERVICE PROVID-  
16 ER WITH ONE MEMBER REPRESENTING A PROGRAM OR PROVIDER THAT SERVICES  
17 CO-OCCURRING MENTAL HEALTH AND ALCOHOLISM OR SUBSTANCE ABUSE DISORDERS,  
18 AND ONE MEMBER REPRESENTING A PROGRAM OR PROVIDER THAT SERVICES CO-OC-  
19 CURRING DEVELOPMENTAL DISABILITIES AND ALCOHOLISM OR SUBSTANCE ABUSE  
20 DISORDERS; AND

21 (5) TWO CONSUMER REPRESENTATIVES WITH ONE MEMBER WHO IS A PERSON WITH  
22 A CO-OCCURRING MENTAL HEALTH AND ALCOHOLISM OR SUBSTANCE ABUSE DISOR-  
23 DERS, AND ONE MEMBER WHO IS A PERSON WITH A CO-OCCURRING DEVELOPMENTAL  
24 DISABILITY AND AN ALCOHOLISM OR A SUBSTANCE ABUSE DISORDER.

25 S 2. This act shall take effect immediately.