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

7069--A

I N S E N A T E

April 26, 2012

Introduced by Sen. JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to averting retraumatization of victims of sexual offenses in a behavioral health outpatient setting

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

Section 1. The mental hygiene law is amended by adding a new section 7.44 to read as follows:

S 7.44 VICTIMS OF SEXUAL OFFENSES; OUTPATIENT GROUP SETTING.

THE OFFICE SHALL DEVELOP GUIDELINES REGARDING VICTIMS OF SEXUAL OFFENSES RECEIVING SERVICES IN AN OUTPATIENT GROUP SETTING. SUCH GUIDELINES SHALL OUTLINE BEST PRACTICES PROVIDERS MAY USE WHEN PROVIDING SERVICES TO VICTIMS OF SEXUAL ABUSE IN AN EFFORT TO AVERT RETRAUMATIZATION BY KNOWN SEX OFFENDERS. SUCH BEST PRACTICES SHALL, TO THE GREATEST EXTENT POSSIBLE, BE BASED ON EVIDENCE BASED PRACTICES. IN CREATING SUCH GUIDELINES, THE OFFICE SHALL CONSULT WITH STAKEHOLDERS. SUCH STAKEHOLDERS SHALL INCLUDE, BUT NOT BE LIMITED TO, REPRESENTATIVES OF CONSUMER ADVOCATES, PROVIDERS AND VICTIM RIGHTS GROUPS.

S 2. The mental hygiene law is amended by adding a new section 19.43 to read as follows:

S 19.43 VICTIMS OF SEXUAL OFFENSES; OUTPATIENT GROUP SETTING.

THE OFFICE SHALL DEVELOP GUIDELINES REGARDING VICTIMS OF SEXUAL OFFENSES RECEIVING SERVICES IN AN OUTPATIENT GROUP SETTING. SUCH GUIDELINES SHALL OUTLINE BEST PRACTICES PROVIDERS MAY USE WHEN PROVIDING SERVICES TO VICTIMS OF SEXUAL ABUSE IN AN EFFORT TO AVERT RETRAUMATIZATION BY KNOWN SEX OFFENDERS. SUCH BEST PRACTICES SHALL, TO THE GREATEST EXTENT POSSIBLE, BE BASED ON EVIDENCE BASED PRACTICES. IN CREATING SUCH GUIDELINES, THE OFFICE SHALL CONSULT WITH STAKEHOLDERS. SUCH STAKEHOLDERS SHALL INCLUDE, BUT NOT BE LIMITED TO, REPRESENTATIVES OF CONSUMER ADVOCATES, PROVIDERS AND VICTIM RIGHTS GROUPS.

S 3. This act shall take effect immediately.

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

LBD02938-14-2