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

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2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

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 ASSEMBLY, DO ENACT AS FOLLOWS:

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

S 2. The executive law is amended by adding a new section 369 to read as follows:

S 369. BEHAVIORAL HEALTH SERVICES FOR VETERANS ADVISORY BOARD. 1. THERE IS HEREBY ESTABLISHED WITHIN THE DIVISION, A BEHAVIORAL HEALTH SERVICES FOR VETERANS ADVISORY BOARD. SUCH BOARD SHALL CONSIST OF NINE MEMBERS, THREE OF WHOM SHALL BE APPOINTED BY THE GOVERNOR, TWO OF WHOM SHALL BE APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE, TWO OF WHOM SHALL BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY, ONE OF WHOM SHALL BE APPOINTED BY THE MINORITY LEADER OF THE SENATE AND ONE OF WHOM SHALL BE APPOINTED BY THE MINORITY LEADER OF THE ASSEMBLY. SUCH MEMBERS SHALL SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY. VACANCIES ON THE BOARD SHALL BE FILLED IN THE MANNER OF THE ORIGINAL APPOINTMENT. MEMBERS OF THE BOARD SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES BUT SHALL BE REIMBURSED FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

2. THE BEHAVIORAL HEALTH SERVICES FOR VETERANS ADVISORY BOARD SHALL STUDY AND ANALYZE BOTH THE ADEQUACY OF EXISTING AND THE NEED FOR NEW BEHAVIORAL HEALTH SERVICES FOR VETERANS. IN PROVIDING SUCH ANALYSIS, THE BOARD SHALL WORK IN COOPERATION WITH THE DIVISION, THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES AND THE DEPARTMENT OF MENTAL HYGIENE. THE BOARD SHALL REPORT THE FINDINGS OF SUCH STUDY TO THE GOVERNOR 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.

LBD03931-01-1

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

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, 2011; 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.