

6573--B

2011-2012 Regular Sessions

I N A S S E M B L Y

March 22, 2011

Introduced by M. of A. SWEENEY, N. RIVERA, ABBATE, HOOPER, WEISENBERG, HIKIND, BENEDETTO, LANCMAN, MAISEL, JAFFEE, MARKEY, RAIA, CASTRO, SALADINO, M. MILLER, PAULIN, COLTON, RAMOS, LAVINE, ENGLEBRIGHT, BRINDISI, GABRYSZAK, BARRON -- Multi-Sponsored by -- M. of A. BOYLE, BRAUNSTEIN, BURLING, CASTELLI, CERETTO, CONTE, CORWIN, CROUCH, CURRAN, FINCH, FITZPATRICK, GIGLIO, GRAF, HAWLEY, HEVESI, KATZ, KOLB, LIFTON, LOSQUADRO, MAGEE, McDONOUGH, McENENY, McKEVITT, MONTESANO, MURRAY, PALMESANO, RA, REILLY, RODRIGUEZ, SCHIMEL, SCHIMMINGER, TEDISCO, TENNEY, THIELE, TITONE -- read once and referred to the Committee on Health -- reference changed to the Committee on Mental Health -- recommitted to the Committee on Mental Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- 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:

1 Section 1. The mental hygiene law is amended by adding a new section
2 7.44 to read as follows:
3 S 7.44 VICTIMS OF SEXUAL OFFENSES; OUTPATIENT GROUP SETTING.
4 THE OFFICE SHALL DEVELOP GUIDELINES REGARDING VICTIMS OF SEXUAL
5 OFFENSES RECEIVING SERVICES IN AN OUTPATIENT GROUP SETTING. SUCH GUIDE-
6 LINES SHALL OUTLINE BEST PRACTICES PROVIDERS MAY USE WHEN PROVIDING
7 SERVICES TO VICTIMS OF SEXUAL ABUSE IN AN EFFORT TO AVERT RETRAUMATIZA-
8 TION BY KNOWN SEX OFFENDERS. SUCH BEST PRACTICES SHALL, TO THE GREATEST
9 EXTENT POSSIBLE, BE BASED ON EVIDENCE BASED PRACTICES. IN CREATING SUCH
10 GUIDELINES, THE OFFICE SHALL CONSULT WITH STAKEHOLDERS. SUCH STAKEHOLD-

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

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1 ERS SHALL INCLUDE, BUT NOT BE LIMITED TO, REPRESENTATIVES OF CONSUMER
2 ADVOCATES, PROVIDERS AND VICTIM RIGHTS GROUPS.
3 S 2. The mental hygiene law is amended by adding a new section 19.43
4 to read as follows:
5 S 19.43 VICTIMS OF SEXUAL OFFENSES; OUTPATIENT GROUP SETTING.
6 THE OFFICE SHALL DEVELOP GUIDELINES REGARDING VICTIMS OF SEXUAL
7 OFFENSES RECEIVING SERVICES IN AN OUTPATIENT GROUP SETTING. SUCH GUIDE-
8 LINES SHALL OUTLINE BEST PRACTICES PROVIDERS MAY USE WHEN PROVIDING
9 SERVICES TO VICTIMS OF SEXUAL ABUSE IN AN EFFORT TO AVERT RETRAUMATIZA-
10 TION BY KNOWN SEX OFFENDERS. SUCH BEST PRACTICES SHALL, TO THE GREATEST
11 EXTENT POSSIBLE, BE BASED ON EVIDENCE BASED PRACTICES. IN CREATING SUCH
12 GUIDELINES, THE OFFICE SHALL CONSULT WITH STAKEHOLDERS. SUCH STAKEHOLD-
13 ERS SHALL INCLUDE, BUT NOT BE LIMITED TO, REPRESENTATIVES OF CONSUMER
14 ADVOCATES, PROVIDERS AND VICTIM RIGHTS GROUPS.
15 S 3. This act shall take effect immediately.