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

8324

2011-2012 Regular Sessions

I N A S S E M B L Y

June 13, 2011

Introduced by M. of A. ORTIZ, LENTOL, BING -- read once and referred to the Committee on Mental Health

AN ACT to amend the mental hygiene law, in relation to providing notice of abuse investigations at mental hygiene agencies

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

Section 1. Section 5.05 of the mental hygiene law is amended by adding a new subdivision (e) to read as follows:

(E) THE COMMISSIONERS OF THE OFFICE OF MENTAL HEALTH, OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES, AND THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES SHALL CAUSE TO HAVE ALL NEW CONTRACTS WITH AGENCIES AND PROVIDERS LICENSED BY THE OFFICES TO HAVE A CLAUSE REQUIRING NOTICE BE PROVIDED TO ALL CURRENT AND NEW EMPLOYEES OF SUCH AGENCIES AND PROVIDERS STATING THAT ALL INSTANCES OF ABUSE SHALL BE INVESTIGATED PURSUANT TO THIS CHAPTER, AND, IF AN EMPLOYEE LEAVES EMPLOYMENT PRIOR TO THE CONCLUSION OF A PENDING ABUSE INVESTIGATION, THE INVESTIGATION SHALL CONTINUE. NOTHING IN THIS SECTION SHALL BE DEEMED TO DIMINISH THE RIGHTS, PRIVILEGES, OR REMEDIES OF ANY EMPLOYEE UNDER ANY OTHER LAW OR REGULATION OR UNDER ANY COLLECTIVE BARGAINING AGREEMENT OR EMPLOYMENT CONTRACT.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.

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

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