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

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I N A S S E M B L Y

March 23, 2012

Introduced by M. of A. ORTIZ -- read once and referred to the Committee on Veterans' Affairs -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to establishing a peer support program for veterans

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 7.42 to read as follows:

S 7.42 PEER SUPPORT PROGRAM FOR VETERANS.

(A) FOR THE PURPOSE OF THIS SECTION THE TERM "PEER SUPPORT SERVICES" SHALL MEAN ANY SERVICE DESIGNATED BY THE OFFICE USED IN THE TREATMENT AND RECOVERY OF MENTAL ILLNESS, ALCOHOL ABUSE, SUBSTANCE ABUSE, AND/OR CHEMICAL DEPENDENCE THAT IS DELIVERED BY A CERTIFIED PEER COUNSELOR; AND THE TERM "CERTIFIED PEER COUNSELOR" SHALL MEAN AN INDIVIDUAL WITH PERSONAL EXPERIENCE AS A MENTAL HEALTH RECIPIENT AND/OR AN INDIVIDUAL IN RECOVERY FROM ALCOHOL ABUSE, SUBSTANCE ABUSE, AND/OR CHEMICAL DEPENDENCE, WHO HAS SERVED IN THE ACTIVE MILITARY OR NAVAL SERVICE OF THE UNITED STATES AND HAS BEEN RELEASED FROM SUCH SERVICE OTHERWISE THAN BY DISHONORABLE DISCHARGE AND AS DOCUMENTED BY HIS OR HER DISCHARGE PAPERS OR WHO HAS BEEN FURLOUGHED TO THE RESERVE COMPONENTS OF THE ARMED FORCES OF THE UNITED STATES WHO HAS TRAINING, CREDENTIALS OR EXPERIENCE RECOGNIZED BY THE OFFICE.

(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE COMMISSIONER, IN CONJUNCTION WITH THE COMMISSIONER OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, AND THE STATE DIRECTOR OF THE DIVISION OF VETERANS' AFFAIRS SHALL DEVELOP AND ESTABLISH A MINIMUM OF TWO REGIONAL PEER SUPPORT SERVICES PROGRAMS FOR VETERANS. SERVICES PROVIDED BY THE PEER SUPPORT SERVICES PROGRAM SHALL INCLUDE, BUT NOT BE LIMITED TO, PEER COUNSELING FOR MENTAL ILLNESS INCLUDING POST-TRAUMATIC STRESS DISORDER, ALCOHOL AND SUBSTANCE ABUSE COUNSELING, INFORMATION ON ACCESS TO SERVICES, FAMILY SUPPORT SERVICES, AND WHERE APPLICABLE, SPECIALIZED SERVICES FOR FEMALE VETERANS.

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

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(C) THE COMMISSIONER, IN CONJUNCTION WITH THE COMMISSIONER OF THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES AND THE STATE DIRECTOR OF THE DIVISION OF VETERANS' AFFAIRS SHALL FOSTER PROGRAMS FOR THE TRAINING AND DEVELOPMENT OF PERSONS CAPABLE OF PROVIDING THE SERVICES SET FORTH IN THIS SECTION, INCLUDING, BUT NOT LIMITED TO, A PROCESS OF ISSUING, EITHER DIRECTLY OR THROUGH CONTRACT, CREDENTIALS FOR CERTIFIED PEER COUNSELORS IN ACCORDANCE WITH THE FOLLOWING:

1. THE OFFICE SHALL ESTABLISH MINIMUM QUALIFICATIONS FOR CERTIFIED PEER COUNSELORS IN ALL PHASES OF DELIVERY OF SERVICES TO VETERANS WHO ARE SUFFERING FROM ANY OR A COMBINATION OF THE FOLLOWING: MENTAL ILLNESS, ALCOHOL ABUSE, SUBSTANCE ABUSE, AND/OR CHEMICAL DEPENDENCE THAT SHALL INCLUDE, BUT NOT BE LIMITED TO, COMPLETION OF APPROVED COURSES OF STUDY OR EQUIVALENT ON-THE-JOB EXPERIENCE IN MENTAL HEALTH COUNSELING AND/OR ALCOHOLISM AND SUBSTANCE ABUSE COUNSELING; AND

2. THE OFFICE SHALL ESTABLISH PROCEDURES FOR ISSUING, DIRECTLY OR THROUGH CONTRACT, CREDENTIALS TO CERTIFIED PEER COUNSELORS WHO MEET MINIMUM QUALIFICATIONS, AND SHALL FURTHER ESTABLISH PROCEDURES TO SUSPEND, REVOKE, OR ANNUL SUCH CREDENTIALS FOR GOOD CAUSE.

S 2. This act shall take effect on the sixtieth day after it shall have become a law; provided, however, 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 and directed to be made and completed on or before such effective date.