

7069

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

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

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

LBD02938-10-2