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I N   A S S E M B L Y

June 10, 2014

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Introduced by COMMITTEE ON RULES -- (at request of M. of A. Brennan) --  
read once and referred to the Committee on Mental Health

AN ACT to amend the executive law, in relation to the right to counsel  
for persons who receive services through the office of mental health  
or the office for people with developmental disabilities for certain  
investigations

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

1     Section 1. Subdivision 25 of section 553 of the executive law is  
2 amended by adding two new paragraphs (c) and (d) to read as follows:  
3     (C) ANY PERSON WHO IS THE RECIPIENT OF SERVICES THROUGH THE OFFICE OF  
4 MENTAL HEALTH OR THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES  
5 OPERATED OR LICENSED AGENCY OR FACILITY, AND IS INTERVIEWED AS PART OF  
6 AN INVESTIGATION CONDUCTED BY OR ON THE PART OF THE JUSTICE CENTER FOR  
7 THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS, SHALL HAVE THE RIGHT TO BE  
8 REPRESENTED BY THE MENTAL HYGIENE LEGAL SERVICE, OR PRIVATELY FINANCED  
9 COUNSEL, AT ALL STAGES OF THE PROCEEDINGS.  
10     (D) PRIOR TO ANY INTERVIEW OF A PERSON AS DESCRIBED IN PARAGRAPH (C)  
11 OF THIS SUBDIVISION, NOTICE MUST BE GIVEN TO THE PARENT, PERSON IN  
12 PARENTAL RELATION, OR LEGAL GUARDIAN OF THAT PERSON, IF ANY, THAT AN  
13 INTERVIEW IS TO BE CONDUCTED.  
14     S 2. This act shall take effect immediately.

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

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