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I N   A S S E M B L Y

June 11, 2014

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Introduced by COMMITTEE ON RULES -- (at request of M. of A. O'Donnell)  
-- read once and referred to the Committee on Correction

AN ACT to amend the correction law and the mental hygiene law, in relation to treatment plans for certain inmates who are receiving mental health services at or prior to the time of their anticipated release date

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

1     Section 1. Section 404 of the correction law is amended by adding a  
2     new subdivision 4 to read as follows:  
3     4. EVERY INMATE WHO HAS RECEIVED MENTAL HEALTH TREATMENT PURSUANT TO  
4     THIS ARTICLE WITHIN THREE YEARS OF HIS OR HER ANTICIPATED RELEASE DATE  
5     FROM A STATE CORRECTIONAL FACILITY SHALL BE PROVIDED WITH MENTAL HEALTH  
6     DISCHARGE PLANNING AND, WHEN NECESSARY, AN APPOINTMENT WITH A MENTAL  
7     HEALTH PROFESSIONAL IN THE COMMUNITY WHO CAN PRESCRIBE MEDICATIONS  
8     FOLLOWING DISCHARGE AND SUFFICIENT MENTAL HEALTH MEDICATIONS AND  
9     PRESCRIPTIONS TO BRIDGE THE PERIOD BETWEEN DISCHARGE AND SUCH TIME AS  
10    SUCH MENTAL HEALTH PROFESSIONAL MAY ASSUME CARE OF THE PATIENT. INMATES  
11    WHO HAVE REFUSED MENTAL HEALTH TREATMENT MAY ALSO BE PROVIDED MENTAL  
12    HEALTH DISCHARGE PLANNING AND ANY NECESSARY APPOINTMENT WITH A MENTAL  
13    HEALTH PROFESSIONAL.  
14    S 2. Paragraph 4 of subdivision (b) of section 9.27 of the mental  
15    hygiene law, as amended by chapter 7 of the laws of 2007, is amended to  
16    read as follows:  
17    4. an officer of any public or well recognized charitable institution  
18    or agency or home, including but not limited to the superintendent of a  
19    correctional facility, as such term is defined in paragraph (a) of  
20    subdivision four of section two of the correction law, in whose institu-  
21    tion the person alleged to be mentally ill resides AND THE DESIGNEE  
22    AUTHORIZED BY THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS AND  
23    COMMUNITY SUPERVISION RESPONSIBLE FOR COMMUNITY SUPERVISION IN THE  
24    REGION WHERE SUCH PERSON ALLEGED TO BE MENTALLY ILL HAS BEEN RELEASED TO  
25    ANY FORM OF SUPERVISION FOLLOWING INCARCERATION.  
26    S 3. This act shall take effect on the sixtieth day after it shall  
27    have become a law.

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

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