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

7890

2013-2014 Regular Sessions

I N A S S E M B L Y

June 7, 2013

Introduced by M. of A. WEISENBERG -- read once and referred to the Committee on Mental Health

AN ACT to amend the mental hygiene law, in relation to training requirements of employees

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

Section 1. Section 7.23 of the mental hygiene law is amended by adding a new subdivision (d) to read as follows:

(D) UPON THE COMPLETION OF ANY REQUIRED TRAINING, INCLUDING RESIDENTS' SUPPORT PLANS, INDIVIDUAL EDUCATION PROGRAMS, BEHAVIORAL SUPPORT PROGRAMS OR ANY OTHER PLAN, THE COMMISSIONER SHALL REQUIRE EMPLOYEES TO TAKE AND SUFFICIENTLY PASS A WRITTEN TEST REGARDING THE CONTENT OF THE TRAINING PROGRAM. NO LONGER WILL ANY READ AND SIGN TRAINING BE ALLOWED OR ANY SIMILAR PRACTICE OF HANDING OR SENDING A DOCUMENT TO A DIRECT CARE GIVER AND REQUIRING THEM TO SIGN THAT THEY READ IT WITHOUT ANY WRITTEN TESTING.

S 2. Section 13.23 of the mental hygiene law is amended by adding a new subdivision (d) to read as follows:

(D) UPON THE COMPLETION OF ANY REQUIRED TRAINING, INCLUDING RESIDENTS' SUPPORT PLANS, INDIVIDUAL EDUCATION PROGRAMS, BEHAVIORAL SUPPORT PROGRAMS OR ANY OTHER PLAN, THE COMMISSIONER SHALL REQUIRE EMPLOYEES TO TAKE AND SUFFICIENTLY PASS A WRITTEN TEST REGARDING THE CONTENT OF THE TRAINING PROGRAM. NO LONGER WILL ANY READ AND SIGN TRAINING BE ALLOWED OR ANY SIMILAR PRACTICE OF HANDING OR SENDING A DOCUMENT TO A DIRECT CARE GIVER AND REQUIRING THEM TO SIGN THAT THEY READ IT WITHOUT ANY WRITTEN TESTING.

S 3. Section 19.23 of the mental hygiene law is amended by adding a new subdivision (e) to read as follows:

(E) UPON THE COMPLETION OF ANY REQUIRED TRAINING, INCLUDING RESIDENTS' SUPPORT PLANS, INDIVIDUAL EDUCATION PROGRAMS, BEHAVIORAL SUPPORT PROGRAMS OR ANY OTHER PLAN, THE COMMISSIONER SHALL REQUIRE EMPLOYEES TO

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

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TAKE AND SUFFICIENTLY PASS A WRITTEN TEST REGARDING THE CONTENT OF THE TRAINING PROGRAM. NO LONGER WILL ANY READ AND SIGN TRAINING BE ALLOWED OR ANY SIMILAR PRACTICE OF HANDING OR SENDING A DOCUMENT TO A DIRECT CARE GIVER AND REQUIRING THEM TO SIGN THAT THEY READ IT WITHOUT ANY WRITTEN TESTING.

S 4. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the commissioner of mental health is authorized to promulgate any rule or regulation necessary for the timely implementation of this act on its effective date.