

4251

2013-2014 Regular Sessions

I N S E N A T E

March 15, 2013

Introduced by Sen. BOYLE -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to create "Robin's law"; and to amend the mental hygiene law, in relation to mental health and chemical dependence outpatient treatment of sex offenders

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

1 Section 1. This act shall be known and may be cited as "Robin's law."
2 S 2. The mental hygiene law is amended by adding a new section 7.45 to
3 read as follows:
4 S 7.45 SEX OFFENDERS; OUTPATIENT GROUP SETTING.
5 THE COMMISSIONER SHALL DEVELOP GUIDELINES AND PROCEDURES REGARDING SEX
6 OFFENDERS, AS DEFINED IN SECTION ONE HUNDRED SIXTY-EIGHT-A OF THE
7 CORRECTION LAW, AND DETAINED SEX OFFENDERS, AS DEFINED IN SECTION 10.03
8 OF THIS TITLE, RECEIVING SERVICES IN AN OUTPATIENT GROUP SETTING. SUCH
9 GUIDELINES AND PROCEDURES SHALL OUTLINE BEST PRACTICES TO ENSURE A
10 PROTECTED, SAFE AND CLINICALLY SOUND TREATMENT ENVIRONMENT FOR ALL
11 PATIENTS AND SHALL, TO THE GREATEST EXTENT POSSIBLE, BE BASED ON
12 EVIDENCE-BASED CLINICAL TREATMENT STANDARDS REGARDING THE SEGREGATION OF
13 SEX OFFENDERS FROM THE GENERAL PATIENT POPULATION. IN DEVELOPING SUCH
14 GUIDELINES AND PROCEDURES, THE COMMISSIONER SHALL CONSULT WITH A PANEL
15 OF STAKEHOLDERS WHO SHALL INCLUDE, BUT NOT BE LIMITED TO, REPRESENTATIVES
16 OF CONSUMER ADVOCATES, PROVIDERS AND VICTIM RIGHTS GROUPS. SUCH
17 PANEL SHALL CONSIST OF NINE MEMBERS, OF WHOM: FIVE SHALL BE APPOINTED BY
18 THE GOVERNOR, TWO SHALL BE APPOINTED BY THE TEMPORARY PRESIDENT OF THE
19 SENATE AND TWO SHALL BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY.
20 S 3. The mental hygiene law is amended by adding a new section 19.43
21 to read as follows:
22 S 19.43 SEX OFFENDERS; OUTPATIENT GROUP SETTING.

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

LBD09581-01-3

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2 OFFENDERS, AS DEFINED IN SECTION ONE HUNDRED SIXTY-EIGHT-A OF THE
3 CORRECTION LAW, AND DETAINED SEX OFFENDERS, AS DEFINED IN SECTION 10.03
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15 SENATE AND TWO SHALL BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY.
16 S 4. This act shall take effect immediately.