

10071

I N A S S E M B L Y

June 11, 2014

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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