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

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:

Section 1. Section 404 of the correction law is amended by adding a new subdivision 4 to read as follows:

4. EVERY INMATE WHO HAS RECEIVED MENTAL HEALTH TREATMENT PURSUANT TO THIS ARTICLE WITHIN THREE YEARS OF HIS OR HER ANTICIPATED RELEASE DATE FROM A STATE CORRECTIONAL FACILITY SHALL BE PROVIDED WITH MENTAL HEALTH DISCHARGE PLANNING AND, WHEN NECESSARY, AN APPOINTMENT WITH A MENTAL HEALTH PROFESSIONAL IN THE COMMUNITY WHO CAN PRESCRIBE MEDICATIONS FOLLOWING DISCHARGE AND SUFFICIENT MENTAL HEALTH MEDICATIONS AND PRESCRIPTIONS TO BRIDGE THE PERIOD BETWEEN DISCHARGE AND SUCH TIME AS SUCH MENTAL HEALTH PROFESSIONAL MAY ASSUME CARE OF THE PATIENT. INMATES WHO HAVE REFUSED MENTAL HEALTH TREATMENT MAY ALSO BE PROVIDED MENTAL HEALTH DISCHARGE PLANNING AND ANY NECESSARY APPOINTMENT WITH A MENTAL HEALTH PROFESSIONAL.

S 2. Paragraph 4 of subdivision (b) of section 9.27 of the mental hygiene law, as amended by chapter 7 of the laws of 2007, is amended to read as follows:

4. an officer of any public or well recognized charitable institution or agency or home, including but not limited to the superintendent of a correctional facility, as such term is defined in paragraph (a) of subdivision four of section two of the correction law, in whose institution the person alleged to be mentally ill resides AND THE DESIGNEE AUTHORIZED BY THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION RESPONSIBLE FOR COMMUNITY SUPERVISION IN THE REGION WHERE SUCH PERSON ALLEGED TO BE MENTALLY ILL HAS BEEN RELEASED TO ANY FORM OF SUPERVISION FOLLOWING INCARCERATION.

S 3. This act shall take effect on the sixtieth day after it shall have become a law.

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

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