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

5187

2013-2014 Regular Sessions

I N A S S E M B L Y

February 21, 2013

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

AN ACT to amend the social services law, in relation to the community guardianship program

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

Section 1. Paragraph (g) of subdivision 3 of section 473-d of the social services law, as added by chapter 846 of the laws of 1986 and such section as renumbered by chapter 395 of the laws of 1995, is amended to read as follows:

(g) the community guardian program shall obtain [annual assessments from two qualified psychiatrists or one qualified psychiatrist and one qualified psychologist who are independent of the community guardian program of persons for whom it serves as committee or conservator to determine whether continuation of the guardianship is necessary, and the appointing court shall be informed of the results of such assessments and may discharge the community guardian program as conservator or committee pursuant to sections 77.35 and 78.27 of the mental hygiene law] ANNUALLY A STATEMENT PREPARED BY A PHYSICIAN, PSYCHOLOGIST, NURSE CLINICIAN, OR SOCIAL WORKER, OR OTHER PERSON EVALUATING THE CONDITION AND FUNCTIONAL LEVEL OF A PERSON FOR WHOM THE COMMUNITY GUARDIAN PROGRAM SERVES AS GUARDIAN PURSUANT TO PARAGRAPH FIVE OF SUBDIVISION (B) OF SECTION 81.31 OF THE MENTAL HYGIENE LAW;

S 2. This act shall take effect immediately.

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

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