

299--A

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. DIAZ -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities -- recommitted to the Committee on Mental Health and Developmental Disabilities in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law and chapter 568 of the laws of 2005, amending the mental hygiene law relating to enacting the geriatric mental health act, in relation to mental health care, chemical dependence and compulsive gambling services for the elderly under the geriatric service demonstration program

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

1 Section 1. Section 7.41 of the mental hygiene law, as added by chapter
2 568 of the laws of 2005, is amended to read as follows:
3 S 7.41 Geriatric service demonstration program.
4 (a) The office shall establish a geriatric service demonstration
5 program to provide grants, within appropriations therefor, to providers
6 of mental health care, CHEMICAL DEPENDENCE SERVICES, COMPULSIVE GAMBLING
7 SERVICES, OR ANY COMBINATION THEREOF, to the elderly, INCLUDING ORGAN-
8 IZATIONS THAT PROVIDE HEALTH AND AGING SERVICES AS WELL AS MENTAL
9 HEALTH, CHEMICAL DEPENDENCE, AND COMPULSIVE GAMBLING ORGANIZATIONS. Such
10 program shall be administered by the office in cooperation with THE
11 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, the state office for
12 the aging and such other state agencies as the commissioner shall deter-
13 mine are necessary for the operation of the program.
14 (b) Grants may be awarded by the office to providers of care to older
15 adults with mental disabilities, CHEMICAL DEPENDENCE, COMPULSIVE GAMBL-
16 ING, OR ANY COMBINATION THEREOF, for the purposes which may include one
17 or more of the following:

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

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1 (1) Community integration. Programs which enable older adults with
2 mental disabilities OR OLDER ADULTS SUFFERING FROM CHEMICAL DEPENDENCE
3 OR COMPULSIVE GAMBLING to age SAFELY in the community and prevent the
4 unnecessary use of institutional care;

5 (2) Improved quality of treatment. Programs for older adults which
6 improve the quality of mental health care, CHEMICAL DEPENDENCE OR
7 COMPULSIVE GAMBLING SERVICES in the community OR IN RESIDENTIAL FACILI-
8 TIES;

9 (3) Integration of services. Programs which integrate mental health
10 and aging services with alcohol, drug, health and other support
11 services;

12 (4) Workforce. Programs which make more efficient use of mental health
13 [and], CHEMICAL DEPENDENCE, COMPULSIVE GAMBLING, health AND AGING
14 SERVICES professionals by developing alternative service roles for para-
15 professionals and volunteers, including peers, and programs more effec-
16 tive in recruitment and retention of bi-lingual, bi-cultural or
17 culturally competent staff;

18 (5) Family support. Programs which provide support for family caregiv-
19 ers, to include the provision of care to older adults by younger family
20 members and by older adults to younger family members;

21 (6) Finance. Programs which have developed and implemented innovative
22 financing methodologies to support the delivery of best practices;

23 (7) Specialized populations. Programs which concentrate on outreach
24 to, engagement of and effective treatment of cultural minorities OR
25 VETERANS AS DEFINED IN SECTION EIGHTY-FIVE OF THE CIVIL SERVICE LAW;

26 (8) Information clearinghouse. Programs which compile, distribute and
27 make available information on clinical developments, program innovations
28 and policy developments which improve the care to older adults with
29 mental disabilities OR SUFFERING FROM CHEMICAL DEPENDENCE OR COMPULSIVE
30 GAMBLING; and

31 (9) Staff training. Programs which offer on-going training initiatives
32 including improved clinical and cultural skills, evidence based geria-
33 tric mental health, CHEMICAL DEPENDENCE AND COMPULSIVE GAMBLING TREAT-
34 MENT skills, and the identification and management of mental, behavioral
35 and substance abuse disorders among older adults.

36 (c) The commissioner may adopt rules and regulations necessary to
37 implement the provisions of this section.

38 S 2. Section 3 of chapter 568 of the laws of 2005, amending the mental
39 hygiene law relating to enacting the geriatric mental health act, as
40 amended by chapter 203 of the laws of 2008, is amended to read as
41 follows:

42 S 3. Interagency geriatric mental health and chemical dependence plan-
43 ning council. (a) There shall be established an interagency geriatric
44 mental health and chemical dependence planning council. Such council
45 shall consist of nineteen members, as follows:

46 (1) the commissioner of mental health, the commissioner of alcoholism
47 and substance abuse services, the director of the division of veterans'
48 affairs and the director of the state office for the aging, who shall
49 serve as the co-chairs of the council. The adjutant general shall serve
50 as an ex-officio member of the council;

51 (2) one member appointed by the commissioner of [mental retardation
52 and] THE OFFICE FOR PEOPLE WITH developmental disabilities to represent
53 the office [of mental retardation and] FOR PEOPLE WITH developmental
54 disabilities;

1 (3) one member appointed by the chairman of the state commission on
2 quality of care and advocacy for persons with disabilities to represent
3 such commission;

4 (4) one member appointed by the commissioner of health to represent
5 the department of health;

6 (5) one member appointed by the commissioner of education to represent
7 the education department and the board of regents;

8 (6) one member appointed by the commissioner of children and family
9 services to represent the office of children and family services on
10 issues relating to adult protective services;

11 (7) one member appointed by the commissioner of temporary and disabil-
12 ity assistance to represent the office of temporary and disability
13 assistance;

14 (8) four members appointed by the governor; and

15 (9) two members appointed by the temporary president of the senate and
16 two members appointed by the speaker of the assembly to represent any
17 other organizations which serve or advocate on behalf of elderly
18 persons.

19 (b) The members of the council shall serve at the pleasure of their
20 appointing authority.

21 (c) The council shall meet as often as necessary, but not less than
22 four times per calendar year, to develop annual recommendations, to be
23 submitted to the commissioner of mental health, the commissioner of
24 alcoholism and substance abuse services, the director of the division of
25 veterans' affairs, the adjutant general and the director of the state
26 office for the aging, regarding geriatric mental health and chemical
27 dependence needs. Such recommendations may address issues which include:
28 community integration, quality improvement, integration of mental
29 health, CHEMICAL DEPENDENCE, COMPULSIVE GAMBLING, HEALTH, AGING AND SUCH
30 RELEVANT services [with services to address alcoholism, drug abuse, and
31 health care needs,] AS APPROPRIATE; AND workforce development, family
32 support and finance.

33 S 3. This act shall take effect immediately.