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

10118--A

I N A S S E M B L Y

May 11, 2016

Introduced by M. of A. ROSENTHAL, GUNTHER -- read once and referred to the Committee on Alcoholism and Drug Abuse -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to the preparation of educational materials to be provided to health care providers to be disseminated to individuals with confirmed or suspected substance use disorders; and to amend the public health law, in relation to establishing guidelines for hospital substance use disorder policies and procedures

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

Section 1. Section 19.07 of the mental hygiene law is amended by adding a new subdivision (l) to read as follows:

(L) THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, SHALL DEVELOP OR UTILIZE EXISTING EDUCATIONAL MATERIALS TO BE PROVIDED TO HEALTH CARE PROVIDERS TO DISSEMINATE TO CONFIRMED OR SUSPECTED INDIVIDUALS WITH SUBSTANCE USE DISORDERS DURING DISCHARGE PLANNING PURSUANT TO SECTION TWENTY-EIGHT HUNDRED THREE-I OF THE PUBLIC HEALTH LAW FROM A GENERAL HOSPITAL. SUCH MATERIALS SHALL INCLUDE INFORMATION REGARDING TREATMENT AND RECOVERY SERVICES, INCLUDING BUT NOT LIMITED TO HOW TO RECOGNIZE THE NEED FOR TREATMENT SERVICES, INFORMATION FOR INDIVIDUALS TO DETERMINE WHAT TREATMENT RESOURCES ARE AVAILABLE TO THEM, AND ANY OTHER INFORMATION THE COMMISSIONER DEEMS APPROPRIATE.

S 2. The public health law is amended by adding a new section 2803-u to read as follows:

S 2803-U. HOSPITAL SUBSTANCE USE DISORDER POLICIES AND PROCEDURES. 1. EVERY GENERAL HOSPITAL SHALL:

(A) DEVELOP, MAINTAIN AND DISSEMINATE WRITTEN POLICIES AND PROCEDURES FOR THE IDENTIFICATION, ASSESSMENT AND REFERRAL OF CONFIRMED OR SUSPECTED CASES OF SUBSTANCE USE DISORDERS AS DEFINED IN SECTION 1.03 OF THE MENTAL HYGIENE LAW;

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

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(B) ESTABLISH AND IMPLEMENT A TRAINING PROGRAM FOR ALL CURRENT AND NEW EMPLOYEES ENGAGED IN PROVIDING DIRECT CLINICAL SERVICES TO PATIENTS REGARDING THE POLICIES AND PROCEDURES ESTABLISHED PURSUANT TO THIS SECTION; AND

(C) IF THE HOSPITAL DOES NOT HAVE OTHER ARRANGEMENTS FOR PROVIDING OR COORDINATING THE PROVISION OF SERVICES TO INDIVIDUALS WITH SUBSTANCE USE DISORDERS, CONTACT A SUBSTANCE USE DISORDER SERVICES PROGRAM THAT PROVIDES BEHAVIORAL HEALTH SERVICES, AS DEFINED IN SECTION 1.03 OF THE MENTAL HYGIENE LAW, IN THE GEOGRAPHIC AREA SERVED BY SUCH HOSPITAL TO COORDINATE THE PROVISION OF SERVICES TO INDIVIDUALS WITH SUBSTANCE USE DISORDERS.

2. UPON ADMITTANCE, COMMENCEMENT OF TREATMENT, OR DISCHARGE OF A CONFIRMED OR SUSPECTED INDIVIDUAL WITH A SUBSTANCE USE DISORDER, SUCH HOSPITAL SHALL INFORM THE INDIVIDUAL, ORALLY AND IN WRITING, OF THE AVAILABILITY OF THE SUBSTANCE USE DISORDER TREATMENT SERVICES, INCLUDING BUT NOT LIMITED TO MEDICATION-ASSISTED TREATMENT, THAT MAY BE AVAILABLE TO THEM THROUGH A SUBSTANCE USE DISORDER SERVICES PROGRAM.

3. THE COMMISSIONER, IN CONSULTATION WITH THE COMMISSIONER OF THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, SHALL MAKE REGULATIONS AS MAY BE NECESSARY AND PROPER TO CARRY OUT THE PROVISIONS OF THIS SECTION.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that the commissioner of health, the commissioner of alcoholism and substance abuse services, and general hospitals shall, respectively, make regulations and take other actions reasonably necessary to implement this act on such date.