

777--A

Cal. No. 42

2015-2016 Regular Sessions

I N A S S E M B L Y

January 7, 2015

Introduced by M. of A. GUNTHER, BARRETT, BICHOTTE, FAHY -- read once and referred to the Committee on Mental Health -- advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the mental hygiene law, in relation to standardized training curriculum requirements for employees and volunteers providing services to persons with developmental disabilities

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

1 Section 1. Section 13.23 of the mental hygiene law is amended by
2 adding a new subdivision (d) to read as follows:
3 (D) THE COMMISSIONER SHALL ADOPT RULES AND REGULATIONS REQUIRING ALL
4 PERSONS WHO ARE EMPLOYED OR VOLUNTEERING AT A PROVIDER LICENSED, CERTI-
5 FIED OR OPERATED BY THE OFFICE TO COMPLETE A TRAINING CURRICULUM
6 CONSISTENT WITH THIS SUBDIVISION. IN DEVELOPING SUCH CURRICULUM, THE
7 COMMISSIONER SHALL CONDUCT A LITERATURE REVIEW OF REPORTS, STUDIES AND
8 OTHER TRAINING MODELS REGARDING THE TRAINING OF DIRECT CARE WORKERS FOR
9 PERSONS WITH DEVELOPMENTAL DISABILITIES. SUCH CURRICULUM SHALL INCLUDE,
10 BUT NOT BE LIMITED TO: (1) ABUSE, NEGLECT AND MALTREATMENT INDICATION
11 AND PREVENTION, (2) LAWS, REGULATIONS AND PROCEDURES GOVERNING THE
12 PROTECTION OF PERSONS WITH DISABILITIES FROM ABUSE, NEGLECT AND
13 MALTREATMENT, (3) IDENTIFICATION, SAFETY AND SECURITY PROCEDURES, (4)
14 FIRE SAFETY, (5) FIRST AID, (6) CARDIOPULMONARY RESUSCITATION, (7)
15 CULTURAL COMPETENCE, AND (8) ANY OTHER APPROPRIATE TOPIC.
16 THE FORMAT OF SUCH TRAINING OR PROGRAMS SHALL BE IN TRADITIONAL LIVE
17 CLASSROOM OR AUDIENCE SETTINGS; TELECONFERENCES; VIDEO CONFERENCES;
18 SATELLITE TRANSMISSIONS; MOTION PICTURE PRESENTATIONS; INTERACTIVE VIDEO
19 INSTRUCTIONS; ACTIVITIES ELECTRONICALLY TRANSMITTED FROM ANOTHER
20 LOCATION; ON-LINE COMPUTER COURSES; OR ANY OTHER INTERACTIVE FORMAT
21 DEEMED APPROPRIATE BY THE COMMISSIONER, PROVIDED THE TRAINING OR PROGRAM
22 IS NOT SELF-STUDY OR CORRESPONDENCE WORK. IN NO EVENT SHALL SUCH PROGRAM

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

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1 AND TRAINING SOLELY CONSIST OF WRITTEN MATERIALS. THE TRAINING OR
2 PROGRAM MUST BE CONDUCTED IN A PHYSICAL SETTING THAT IS COMFORTABLE AND
3 CONDUCTIVE TO LEARNING. UPON COMPLETION OF THE TRAINING OR PROGRAM, TRAI-
4 NEES SHALL RECEIVE A CERTIFICATE OF COMPLETION.

5 S 2. This act shall take effect July 1, 2017.