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

8360

2015-2016 Regular Sessions

I N A S S E M B L Y

August 12, 2015

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

AN ACT to amend the correction law, in relation to the psychological evaluation of correction officers

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

Section 1. The correction law is amended by adding a new section 22-b to read as follows:

S 22-B. PSYCHOLOGICAL EVALUATIONS. 1. EVERY PERSON EMPLOYED AS A CORRECTION OFFICER SHALL SUBMIT TO A PSYCHOLOGICAL SCREENING ON A BIANNUAL BASIS. PERSONS WHO HAVE BEEN DETERMINED BY A PSYCHOLOGIST LICENSED UNDER THE LAWS OF THIS STATE AS SUFFERING FROM PSYCHOTIC DISORDERS, SERIOUS CHARACTER DISORDERS, OR OTHER DISORDERS WHICH COULD HINDER PERFORMANCE ON THE JOB SHALL BE DEEMED INELIGIBLE TO CONTINUE WORKING AS A CORRECTION OFFICER AND SHALL BE PLACED ON MEDICAL LEAVE.

2. THE COMMISSIONER, IN CONSULTATION WITH THE COMMISSIONER OF MENTAL HEALTH, SHALL ESTABLISH A PROCESS ON HOW TO PROCEED WITH A PERSON WHO HAS BEEN DEEMED PSYCHOLOGICALLY INELIGIBLE TO CONTINUE AS A CORRECTION OFFICER. SUCH PROCESS MAY INCLUDE TOPICS SUCH AS MEDICATION, REHABILITATION, LENGTH OF MEDICAL LEAVE, OR THE TERMINATION OF SUCH PERSON'S EMPLOYMENT WITH THE DEPARTMENT.

3. THE REQUIREMENTS OF THIS SECTION SHALL BE INCLUDED IN ANY COLLECTIVE BARGAINING AGREEMENT ENTERED INTO, ALTERED, OR AMENDED, ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION. FAILURE TO INCLUDE THIS LANGUAGE IN SUCH AGREEMENTS SHALL NOT NEGATE THE REQUIREMENT OF THIS SECTION, BUT MUST BE INCLUDED AS AN APPENDIX TO SUCH AGREEMENT OR SUCH AGREEMENT SHALL BE DEEMED NULL AND VOID AS AGAINST PUBLIC POLICY.

S 2. This act shall take effect on the first of January next succeeding the date on which 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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