

6344

2015-2016 Regular Sessions

I N A S S E M B L Y

March 20, 2015

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

AN ACT to amend the mental hygiene law, in relation to reports on priority I and priority II individuals and the services provided to such individuals

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

1 Section 1. Section 16.01 of the mental hygiene law is amended by
2 adding a new subdivision (d) to read as follows:
3 (D) (1) THE COMMISSIONER SHALL SUBMIT A REPORT BIANNUALLY TO THE
4 LEGISLATURE ON THE FIRST OF SEPTEMBER NEXT SUCCEEDING THE EFFECTIVE DATE
5 OF THIS SUBDIVISION ON THE TOTAL NUMBER OF PRIORITY I INDIVIDUALS AND
6 THE NUMBER OF SUCH INDIVIDUALS WHO REQUIRE OUT OF HOME RESIDENTIAL
7 PLACEMENT, REQUIRE DAY SERVICES BY TYPE OF SUCH SERVICE AND ARE DEFINED
8 AS "SPECIAL POPULATIONS." THE REPORT SHALL SPECIFY THE NUMBER OF SUCH
9 INDIVIDUALS WHO RESIDE IN DEVELOPMENTAL CENTERS, NURSING HOMES, HOSPITALS
10 AND YOUNG ADULTS WHO ARE AGING OUT OF RESIDENTIAL SCHOOL PLACEMENTS.
11 FOR THE PURPOSES OF THIS SUBDIVISION, "PRIORITY I" SHALL BE
12 DEFINED AS ANY INDIVIDUAL IN AN EMERGENCY SITUATION, INCLUDING BUT NOT
13 LIMITED TO (I) ABUSIVE OR NEGLECTFUL SITUATIONS CONSTITUTING IMMINENT
14 RISK OF HARM, (II) IMMINENT DANGER TO SELF OR OTHERS OR (III) HOMELESS-
15 NESS OR IN IMMINENT DANGER OF BECOMING HOMELESS, WHO IS IN NEED OF
16 SERVICES OR SUPPORTS.
17 (2) THE COMMISSIONER SHALL SUBMIT A REPORT BIANNUALLY TO THE LEGISLATURE
18 ON THE FIRST OF SEPTEMBER NEXT SUCCEEDING THE EFFECTIVE DATE OF
19 THIS SUBDIVISION ON THE TOTAL NUMBER OF PRIORITY II INDIVIDUALS INCLUDING
20 THE NUMBER OF SUCH INDIVIDUALS BY THE TYPE OF SERVICES AND SUPPORT
21 REQUIRED. FOR THE PURPOSES OF THIS SUBDIVISION, "PRIORITY II" SHALL BE
22 DEFINED AS ANY INDIVIDUAL (I) WHOSE CAREGIVER IS AGING OR IN FAILING
23 HEALTH FOR WHICH NO ALTERNATE CAREGIVER IS AVAILABLE, (II) IN A LIVING
24 SITUATION THAT PRESENTS A SIGNIFICANT RISK OF NEGLECT OR ABUSE, (III)

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

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1 WHOSE MEDICAL OR PHYSICAL CONDITION REQUIRES CARE THAT IS NOT AVAILABLE
2 IN THEIR PRESENT SITUATION, (IV) WHO PRESENTS AN INCREASING RISK TO SELF
3 OR OTHERS OR (V) IS AFFECTED BY A COURT OR LEGISLATIVE MANDATE REQUIRING
4 RESIDENTIAL PLACEMENT, WHO IS IN NEED OF SERVICES OR SUPPORTS.
5 (3) THE COMMISSIONER SHALL SUBMIT A REPORT BIANNUALLY TO THE LEGISLA-
6 TURE ON THE FIRST OF SEPTEMBER NEXT SUCCEEDING THE EFFECTIVE DATE OF
7 THIS SUBDIVISION ON THE NUMBER OF PRIORITY I AND PRIORITY II INDIVIDUALS
8 WHO RECEIVED SERVICES OVER THE PRECEDING SIX MONTH PERIOD AND THE TYPE
9 OF SERVICES SUCH INDIVIDUALS RECEIVED.
10 S 2. This act shall take effect immediately.