

9477--A

I N   A S S E M B L Y

March 10, 2016

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Introduced by M. of A. HARRIS, ABBATE, ABINANTI, BLAKE, COLTON, COOK, CORWIN, CROUCH, CYMBROWITZ, DUPREY, GUNTHER, HYNDMAN, MILLER, MOSLEY, PEOPLES-STOKES, ROBINSON, HUNTER -- Multi-Sponsored by -- M. of A. SEPULVEDA, SIMON, THIELE -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to making care and services provided by licensed mental health practitioners eligible for coverage under the Medicaid program

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

1     Section 1. Legislative intent. Whereas Medicaid covers mental health  
2 services in New York state to psychiatrists, psychologists and social  
3 workers, Medicaid does not recognize New York state licensed mental  
4 health practitioners as providers within the Medicaid program. Mental  
5 health practitioners are often the only mental health providers in urban  
6 underserved minority communities. A critical result of this lack of  
7 providers is that minority communities bear a disproportionate number of  
8 burdens of mental health disabilities and inadequately treated mental  
9 health disorders. Excluding mental health practitioners from treating  
10 Medicaid beneficiaries with untreated mental illness puts such benefici-  
11 aries disproportionately at risk for engagement with the criminal  
12 justice system. This puts individuals, families and communities at risk  
13 of harm. Approximately 26 percent of adults experience a diagnosable  
14 behavioral health disorder each year, and researchers have reported 20  
15 percent of adolescents display psychological problems. Behavioral health  
16 disorders, ranging from inattention to violence are often a result of  
17 those psychological problems.

18     Mental health practitioners are valuable providers of mental health  
19 services in New York state. Unfortunately Medicaid does not recognize  
20 their important contribution to the present health care delivery system.

21     S 2. Subdivision 2 of section 365-a of the social services law is  
22 amended by adding a new paragraph (dd) to read as follows:

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

LBD08250-03-6

1 (DD) CARE AND SERVICES PROVIDED BY MENTAL HEALTH PRACTITIONERS  
2 LICENSED PURSUANT TO ARTICLE ONE HUNDRED SIXTY-THREE OF THE EDUCATION  
3 LAW, INCLUDING SUCH CARE AND SERVICES PROVIDED IN A HOSPITAL OUT-PATIENT  
4 OR CLINIC FACILITY REFERRED TO IN PARAGRAPH (C) OF THIS SUBDIVISION.  
5 S 3. This act shall take effect on the ninety-first day after it shall  
6 have become a law.