

4180

2015-2016 Regular Sessions

I N   S E N A T E

March 5, 2015

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Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

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

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

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