

PART B

Section 1. Subdivision 6 of section 3309 of the public health law, as added by a chapter of the laws of 2016 amending the public health law relating to reporting of opioid overdose data, as proposed in legislative bills numbers S.6516-A and A.9251-A, is amended to read as follows:

6. The commissioner shall provide the current information and data specified in subdivision five of this section to each county [on a monthly basis] EVERY THREE MONTHS. Such information and data may be utilized by a county or any combination thereof as it works to address the opioid epidemic.

S 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2016 amending the public health law relating to reporting of opioid overdose data, as proposed in legislative bills numbers S.6516-A and A.9251-A, takes effect; provided that the amendments to subdivision 6 of section 3309 of the public health law, made by section one of this act, shall not affect the expiration of such subdivision, and shall be deemed repealed therewith.

PART C

Section 1. The public health law is amended by adding a new section 2803-u to read as follows:

S 2803-U. HOSPITAL SUBSTANCE USE DISORDER POLICIES AND PROCEDURES. 1. THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, IN CONSULTATION WITH THE DEPARTMENT, SHALL DEVELOP OR UTILIZE EXISTING EDUCATIONAL MATERIALS TO BE PROVIDED TO GENERAL HOSPITALS TO DISSEMINATE TO INDIVIDUALS WITH A DOCUMENTED SUBSTANCE USE DISORDER OR WHO APPEAR TO HAVE OR BE AT RISK FOR A SUBSTANCE USE DISORDER DURING DISCHARGE PLANNING PURSUANT TO SECTION TWENTY-EIGHT HUNDRED THREE-I OF THIS CHAPTER. SUCH MATERIALS SHALL INCLUDE INFORMATION REGARDING THE VARIOUS TYPES OF TREATMENT AND RECOVERY SERVICES, INCLUDING BUT NOT LIMITED TO: INPATIENT, OUTPATIENT, AND MEDICATION-ASSISTED TREATMENT; HOW TO RECOGNIZE THE NEED FOR TREATMENT SERVICES; INFORMATION FOR INDIVIDUALS TO DETERMINE WHAT TYPE AND LEVEL OF TREATMENT IS MOST APPROPRIATE AND WHAT RESOURCES ARE AVAILABLE TO THEM; AND ANY OTHER INFORMATION THE COMMISSIONER DEEMS APPROPRIATE.

2. EVERY GENERAL HOSPITAL SHALL: (A) WITHIN EXISTING OR IN ADDITION TO CURRENT POLICIES AND PROCEDURES, DEVELOP, MAINTAIN AND DISSEMINATE, WRITTEN POLICIES AND PROCEDURES, FOR THE IDENTIFICATION, ASSESSMENT AND REFERRAL OF INDIVIDUALS WITH A DOCUMENTED SUBSTANCE USE DISORDER OR WHO APPEAR TO HAVE OR BE AT RISK FOR A SUBSTANCE USE DISORDER AS DEFINED IN SECTION 1.03 OF THE MENTAL HYGIENE LAW;

(B) ESTABLISH AND IMPLEMENT TRAINING, WITHIN EXISTING OR IN ADDITION TO CURRENT TRAINING PROGRAMS, FOR ALL INDIVIDUALS LICENSED OR CERTIFIED PURSUANT TO TITLE EIGHT OF THE EDUCATION LAW WHO PROVIDE DIRECT PATIENT CARE REGARDING THE POLICIES AND PROCEDURES ESTABLISHED PURSUANT TO THIS SECTION; AND

(C) EXCEPT WHERE AN INDIVIDUAL HAS COME INTO THE HOSPITAL UNDER SECTION 22.09 OF THE MENTAL HYGIENE LAW, IF THE HOSPITAL DOES NOT DIRECTLY PROVIDE SUBSTANCE USE DISORDER SERVICES, THEN IT SHALL REFER INDIVIDUALS IN NEED OF SUBSTANCE USE DISORDER SERVICES TO AND COORDINATE WITH SUBSTANCE USE DISORDER SERVICES PROGRAMS THAT PROVIDE BEHAVIORAL HEALTH SERVICES, AS DEFINED IN SECTION 1.03 OF THE MENTAL HYGIENE LAW.

3. UPON COMMENCEMENT OF TREATMENT, ADMISSION, OR DISCHARGE OF AN INDIVIDUAL WITH A DOCUMENTED SUBSTANCE USE DISORDER OR WHO APPEARS TO HAVE OR BE AT RISK FOR A SUBSTANCE USE DISORDER, INCLUDING DISCHARGE FROM THE

1 EMERGENCY DEPARTMENT, SUCH HOSPITAL SHALL INFORM THE INDIVIDUAL OF THE
2 AVAILABILITY OF THE SUBSTANCE USE DISORDER TREATMENT SERVICES THAT MAY
3 BE AVAILABLE TO THEM THROUGH A SUBSTANCE USE DISORDER SERVICES PROGRAM.

4 4. THE COMMISSIONER, IN CONSULTATION WITH THE COMMISSIONER OF THE
5 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, SHALL MAKE REGU-
6 LATIONS AS MAY BE NECESSARY AND PROPER TO CARRY OUT THE PROVISIONS OF
7 THIS SECTION.

8 S 2. This act shall take effect on the one hundred eightieth day after
9 it shall have become a law; provided, however, that the commissioner of
10 health and the commissioner of alcoholism and substance abuse services
11 shall make regulations and take other actions reasonably necessary to
12 implement this act on such date.

13 S 2. Severability clause. If any clause, sentence, paragraph, subdivi-
14 sion, section or part of this act shall be adjudged by any court of
15 competent jurisdiction to be invalid, such judgment shall not affect,
16 impair, or invalidate the remainder thereof, but shall be confined in
17 its operation to the clause, sentence, paragraph, subdivision, section
18 or part thereof directly involved in the controversy in which such judg-
19 ment shall have been rendered. It is hereby declared to be the intent of
20 the legislature that this act would have been enacted even if such
21 invalid provisions had not been included herein.

22 S 3. This act shall take effect immediately provided, however, that
23 the applicable effective date of Parts A through C of this act shall be
24 as specifically set forth in the last section of such Parts.