

# STATE OF NEW YORK

10644

## IN ASSEMBLY

May 10, 2018

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 a hospital's policies and procedures regarding discharge of individuals with a mental health disorder

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The mental hygiene law is amended by adding a new section  
2 7.24 to read as follows:

3 § 7.24 Mental health disorder hospital discharge; policies and proce-  
4 dures.

5 (a) The office, in consultation with the department of health, shall  
6 develop or utilize existing educational materials to be provided to  
7 general hospitals to disseminate to individuals with a documented mental  
8 health disorder or who appear to have or be at risk for a mental health  
9 disorder during discharge planning pursuant to section twenty-eight  
10 hundred three-i of the public health law. Such materials shall include  
11 information regarding the various types of treatment and support  
12 services, including but not limited to: inpatient, outpatient treatment;  
13 how to recognize the need for treatment services; information for indi-  
14 viduals to determine what type and level of treatment is most appropri-  
15 ate and what resources are available to individuals; and any other  
16 information the commissioner and the commissioner of health deem appro-  
17 priate.

18 (b) The commissioner in collaboration with the commissioner of health  
19 shall assist and provide guidance for every general hospital to:

20 1. utilize existing, or in addition to current policies and proce-  
21 dures, develop, maintain and disseminate, written policies and proce-  
22 dures, for the identification, assessment and referral of individuals  
23 with a documented mental health disorder or who appear to have or be at  
24 risk for a mental health disorder; and

25 2. establish and implement training, within existing, or in addition  
26 to current training programs, for all individuals licensed or certified  
27 pursuant to title eight of the education law who provide direct patient

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

LBD15747-01-8

1 care regarding the policies and procedures established pursuant to this  
2 section.

3 (c) If a general hospital does not directly provide mental health  
4 disorder services, then the commissioner, in consultation with the  
5 commissioner of health, shall provide the necessary information to refer  
6 individuals in need of such services to and coordinate with mental  
7 health service programs that provide such services, and have been issued  
8 an operating certificate pursuant to article thirty-one of this chapter.

9 § 2. This act shall take effect on the one hundred eightieth day after  
10 it shall have become a law; provided, however, that the commissioner of  
11 health and the commissioner of mental health shall promulgate any rules  
12 and regulations necessary for the implementation of this act on or  
13 before such effective date.