

# STATE OF NEW YORK

8150

2017-2018 Regular Sessions

## IN ASSEMBLY

May 31, 2017

Introduced by M. of A. ROSENTHAL -- read once and referred to the  
Committee on Alcoholism and Drug Abuse

AN ACT to amend the mental hygiene law, in relation to establishing a  
council for treatment equity within the office of alcoholism and  
substance abuse

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

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

§ 19.45 The council for treatment equity.

1. Definitions. As used in this section:

(a) "Council" shall mean the council for treatment equity created  
pursuant to this section which shall consist of a full time director and  
any additional full or part time staff the commissioner deems necessary  
to effectuate the provisions of this section.

(b) "Treatment equity advisory board" shall mean the advisory board to  
the council, created pursuant to subdivision three of this section.

(c) "Vulnerable populations" shall mean those who have experienced  
injustices and disadvantages as a result of their race, ethnicity, sexu-  
al orientation, gender identity, disability status, age, socioeconomic  
status and/or any other status which has caused a person to experience  
injustices and disadvantages.

(d) "Racially and ethnically diverse areas" shall mean counties where  
the non-white population is forty percent or more or the service area of  
an agency, corporation, facility or individual providing substance use  
disorder services where the non-white population of said area is forty  
percent or more.

(e) "Provider of services" shall mean any agency, corporation, facili-  
ty or individual providing substance use disorder services to vulnerable  
populations.

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

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1 (f) "Treatment disparities" shall mean measurable differences in  
2 access to and quality of substance use disorder services as determined  
3 by race, ethnicity, sexual orientation, gender identity, disability  
4 status, age and socioeconomic status.

5 (g) "Treatment equity" shall mean achieving the highest level of  
6 substance use disorder services for all people and shall entail focused  
7 efforts to address avoidable inequalities by equalizing those conditions  
8 for substance use disorder services for those that have experienced  
9 injustices and socioeconomic disadvantages.

10 2. The council for treatment equity. There is hereby created a council  
11 for treatment equity. The council, in conjunction with the treatment  
12 equity advisory board, shall have the following powers and duties:

13 (a) Work collaboratively with the office, other relevant state agen-  
14 cies and affected stakeholders, including, but not limited to, providers  
15 and representatives of vulnerable populations, in order to set priori-  
16 ties to achieve treatment equity in both racial and ethnically diverse  
17 areas and for vulnerable populations throughout the state;

18 (b) Analyze collected data to determine the causes of treatment  
19 disparities in both racially and ethnically diverse areas and for  
20 vulnerable populations throughout the state, including any economic,  
21 physical, social or cultural barriers;

22 (c) Develop and implement strategies aimed at achieving treatment  
23 equity in racially and ethnically diverse areas and among vulnerable  
24 populations;

25 (d) Promote community involvement by conducting promotional and educa-  
26 tional outreach programs regarding substance use disorders and available  
27 services; and

28 (e) Review the impact of current laws, rules, regulations, policies  
29 and programs that may be affecting the ability to achieve treatment  
30 equity.

31 3. The treatment equity advisory board. (a) The treatment equity advi-  
32 sory board shall consist of twelve members. All members shall be  
33 appointed by the governor, with three members appointed upon recommenda-  
34 tion from the temporary president of the senate and three members  
35 appointed upon recommendation from the speaker of the assembly. The  
36 chairperson of the council shall be the commissioner or their designee.

37 (b) The members of the council shall be from the community with exper-  
38 tise in conducting substance use disorder services. In making such  
39 appointments, due consideration shall be given to ensuring adequate  
40 geographic representation.

41 (c) The term of office for each member of the treatment equity advi-  
42 sory board shall be six years. Vacancies in the treatment equity advi-  
43 sory board, other than by expiration of a term, shall be filled for the  
44 remainder of the unexpired term in the same manner as original appoint-  
45 ments.

46 (d) The members of the treatment equity advisory board shall receive  
47 no compensation for their services, but shall be reimbursed for all  
48 expenses actually and necessarily incurred by them in the performance of  
49 their duties under this section within the amount made available by  
50 appropriation therefor.

51 4. Report. The council shall submit a written report to the governor,  
52 the temporary president of the senate and the speaker of the assembly no  
53 later than one year succeeding the effective date of this section and  
54 annually thereafter, setting forth the findings, recommendations and  
55 activities of the council on matters within the scope of its powers and  
56 duties as set forth in this section.

1     § 2. This act shall take effect immediately.