STATE OF NEW YORK

5476

2017-2018 Regular Sessions

IN ASSEMBLY

February 9, 2017

Introduced by M. of A. KIM, RAIA, HEVESI, FITZPATRICK, BRAUNSTEIN, ROZIC, ORTIZ, NIOU, SIMANOWITZ, ZEBROWSKI, SEPULVEDA, CROUCH, GJONAJ, McLAUGHLIN, PALMESANO, JONES, TITONE, JAFFEE, WILLIAMS, McDONOUGH, CARROLL, ENGLEBRIGHT, GRAF, LUPINACCI, CRESPO, GIGLIO, HARRIS -- read once and referred to the Committee on Alcoholism and Drug Abuse

AN ACT to direct all hospitals and medical professionals treating patients for a drug overdose to inquire whether the patient has previously participated in either an in-patient or out-patient rehabilitation program, and to report their findings to the New York state office of alcoholism and substance abuse services (OASAS)

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

Section 1. Short title. This act shall be known and may be cited as the "Christina O'Donnell act".

§ 2. All hospitals and medical professionals treating patients for a drug overdose shall be required to inquire whether a patient has previously participated in either an in-patient or out-patient rehabilitation program. All findings shall be reported to the New York state office of alcoholism and substance abuse services (OASAS).

§ 3. All hospitals, medical professionals and drug treatment/rehabilitation centers shall be required to report case details to OASAS for any applicant that they deny addiction treatment to. Such case details shall include the written reason why the applicant was denied treatment, including applicants who were unable to gain placement on a waiting list to receive treatment.

§ 4. The office of court administration shall report to OASAS:

a. the number of defendants that have been sentenced to drug treatment services;

b. how many of those defendants have been required to participate in an in-patient program; and

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

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c. how many of those defendants have been required to participate in an out-patient program.

§ 5. The commissioner of OASAS, or his or her designee, shall publish a report, available to the general public, on its findings including but not limited to:

a. the total number of reported overdoses reported by hospitals and medical professionals and office of court administration;

b. the total number of overdose patients who have participated in a rehabilitation program before;

c. whether the rehabilitation program that they participated in was an in-patient or out-patient program; and

d. all information required by section three of this act.

§ 6. The commissioner's report shall be filed within one year of the effective date of this act, unless the commissioner of OASAS requests in writing, an extension of time. The commissioner shall then conduct an outreach program to inform local governments, private organizations and the public regarding the finding of such report.

§ 7. This act shall take effect immediately.