

# STATE OF NEW YORK

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2943

2017-2018 Regular Sessions

## IN SENATE

January 18, 2017

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Introduced by Sens. HAMILTON, 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 executive law, in relation to the powers and duties  
of the justice center

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

1 Section 1. Subdivisions 26, 27 and paragraph (c) of subdivision 28 of  
2 section 553 of the executive law, subdivisions 26 and 27 as added by  
3 section 3 of part A of chapter 501 of the laws of 2012 and paragraph (c)  
4 of subdivision 28 as added by chapter 394 of the laws of 2014, are  
5 amended and a new subdivision 29 is added to read as follows:

6 26. To review the cost effectiveness of mental hygiene programs and  
7 procedures provided for by law with particular attention to efficiency,  
8 effectiveness and economy in the management, supervision and delivery of  
9 such programs. Such review may include but is not limited to: (a) deter-  
10 mining reasons for rising costs and possible means of controlling them;  
11 (b) analyzing and comparing expenditures in mental hygiene to determine  
12 the factors associated with variations in costs; and (c) analyzing and  
13 comparing achievements in selected samples to determine the factors  
14 associated with variations in program success and their relationship to  
15 mental hygiene costs; ~~and~~

16 27. In its discretion, to review the policies and practices relating  
17 to the prevention of abuse or neglect in facilities or provider agen-  
18 cies, including staffing patterns of various service models and the  
19 supervision required to help ensure the safety of service recipients~~[-]~~;

20 (c) Procedures to facilitate the preparation of pertinent information,  
21 including clinical information, necessary to safely conduct an investi-  
22 gation pursuant to this section, including timely notification by the  
23 justice center to the appropriate administrative personnel of the agency  
24 serving such vulnerable person that such information will be required.

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

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1 Such information shall be readily available to the justice center on a  
2 form it prescribes prior to any contact between the justice center and  
3 such individual[-]; and

4 29. To develop guidance documents relating to the procedures for  
5 review of reportable incidents established pursuant to subdivision three  
6 of this section. All such documents shall be addressed to each state  
7 oversight agency identified in subdivision four of section five hundred  
8 fifty of this article and shall contain a unique set of instructions for  
9 each such agency taking into consideration each such agency's particular  
10 mission and constituency. Each such agency shall, at the request of the  
11 justice center, produce for the justice center's review, current proce-  
12 dures and practices utilized in recording and reporting reportable inci-  
13 dents. To ensure consistency across state agencies, the justice center  
14 shall develop or identify a uniform set of core principles to be  
15 included in any guidance documents produced.

16 § 2. This act shall take effect on the thirtieth day after it shall  
17 have become a law.