STATE OF NEW YORK

2943

2017-2018 Regular Sessions

IN SENATE

January 18, 2017

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 Assembly, do enact as follows:

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

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

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

(c) Procedures to facilitate the preparation of pertinent information, including clinical information, necessary to safely conduct an investigation pursuant to this section, including timely notification by the justice center to the appropriate administrative personnel of the agency 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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Such information shall be readily available to the justice center on a form it prescribes prior to any contact between the justice center and such individual[.]; and

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

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