STATE OF NEW YORK

6468

2017-2018 Regular Sessions

IN SENATE

May 23, 2017

Introduced by Sen. 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 and the social services law, in relation to mental hygiene facilities

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

Section 1. Subdivision 2 of section 550 of the executive law, as amended by section 3 of part MM of chapter 58 of the laws of 2015, is amended to read as follows:

2. "Mental hygiene facility" shall mean a facility as defined in subdivision six of section 1.03 of the mental hygiene law and facilities for the operation of which an operating certificate is required pursuant to article sixteen or thirty-one of the mental hygiene law and including family care homes. "Mental hygiene facility" also means a secure treatment facility as defined by article ten of the mental hygiene law. This term shall not include **any psychiatric center as set forth in subdivision (b) of section 7.17 of the mental hygiene law which employs security hospital treatment assistants nor** services defined in [~~subparagraph~~] **paragraph** four of subdivision (a) of section 16.03 of the mental hygiene law.

§ 2. Paragraph (a) of subdivision 4 of section 488 of the social services law, as amended by section 2 of part MM of chapter 58 of the laws of 2015, is amended to read as follows:

(a) a facility or program in which services are provided and which is operated, licensed or certified by the office of mental health, the office for people with developmental disabilities or the office of alcoholism and substance abuse services, including but not limited to psychiatric centers, inpatient psychiatric units of a general hospital, developmental centers, intermediate care facilities, community residences, group homes and family care homes, provided, however, that such

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

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term shall not include **any psychiatric center as set forth in section 7.17 of the mental hygiene law which employs security hospital treatment assistants,** a secure treatment facility as defined in section 10.03 of the mental hygiene law, services defined in [~~subparagraph~~] **paragraph** four of subdivision (a) of section 16.03 of the mental hygiene law, or services provided in programs or facilities that are operated by the office of mental health and located in state correctional facilities under the jurisdiction of the department of corrections and community supervision;

§ 3. This act shall take effect immediately.