STATE OF NEW YORK

725--A

2017-2018 Regular Sessions

IN SENATE

January 4, 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 -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to access to mental health services for children who are referred to the pre-admission certification committee

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

Section 1. Section 9.51 of the mental hygiene law is amended by adding two new subdivisions (h) and (i) to read as follows:

(h) Whenever a Medicaid eligible individual up to twenty-one years of age is referred to the pre-admission certification committee by a physician authorized to discharge such individual from an inpatient hospital, such individual shall have access to the mental health services for which they are determined to be in need of by the referring physician for up to thirty days pending the expedited review of the pre-admission certification committee. For the purposes of this subdivision, any referral by a physician for mental health services shall be done in consultation with the facility being considered for such referral. The commissioner, in carrying out the provisions of this subdivision, shall:

(1) develop, establish, and promulgate procedures to implement the provisions of this subdivision. Such procedures shall be based upon the specific needs of the individual and authorized in the environment necessary to achieve the purposes of treatment prescribed by the referring physician until such individuals are approved by the pre-admission certification committee or determined not to be eligible for such placement; and

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

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(2) notify, cooperate, guide, and assist local agencies, local government units, community service boards, and/or providers of service.

(i) The commissioner shall:

(1) collect information, including the characteristics and number of children requiring such thirty-day placements and expedited reviews by the pre-admission certification;

(2) assess the number of children admitted to residential treatment facilities through such means and recommend a plan to meet the future needs of such children, including but not limited to whether such referral method should be continued, whether there is a need to develop a new referral methodology and whether there is a need to develop a new program that is a level of care other than residential treatment facilities; and

(3) make an assessment of the success of the services so provided.

§ 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.