

STATE OF NEW YORK

6039

2019-2020 Regular Sessions

IN ASSEMBLY

February 26, 2019

Introduced by M. of A. CUSICK, RAIA, CROUCH, ARROYO -- Multi-Sponsored
by -- M. of A. ABBATE, BRAUNSTEIN, COOK, DAVILA, DiPIETRO, McDONOUGH,
SIMON -- read once and referred to the Committee on Mental Health

AN ACT to create "Robin's law"; and to amend the mental hygiene law, in
relation to mental health and chemical dependence outpatient treatment
of sex offenders

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

1 Section 1. This act shall be known and may be cited as "Robin's law."

2 § 2. The mental hygiene law is amended by adding a new section 7.48 to
3 read as follows:

4 § 7.48 Sex offenders; outpatient group setting.

5 The commissioner shall develop guidelines and procedures regarding sex
6 offenders, as defined in section one hundred sixty-eight-a of the
7 correction law, and detained sex offenders, as defined in section 10.03
8 of this title, receiving services in an outpatient group setting. Such
9 guidelines and procedures shall outline best practices to ensure a
10 protected, safe and clinically sound treatment environment for all
11 patients and shall, to the greatest extent possible, be based on
12 evidence-based clinical treatment standards regarding the segregation of
13 sex offenders from the general patient population. In developing such
14 guidelines and procedures, the commissioner shall consult with a panel
15 of stakeholders who shall include, but not be limited to, represen-
16 tatives of consumer advocates, providers and victim rights groups. Such
17 panel shall consist of nine members, of whom: five shall be appointed by
18 the governor, two shall be appointed by the temporary president of the
19 senate and two shall be appointed by the speaker of the assembly.

20 § 3. The mental hygiene law is amended by adding a new section 19.45
21 to read as follows:

22 § 19.45 Sex offenders; outpatient group setting.

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

LBD04333-01-9

1 The commissioner shall develop guidelines and procedures regarding sex
2 offenders, as defined in section one hundred sixty-eight-a of the
3 correction law, and detained sex offenders, as defined in section 10.03
4 of this chapter, receiving services in an outpatient group setting. Such
5 guidelines and procedures shall outline best practices to ensure a
6 protected, safe and clinically sound treatment environment for all
7 patients and shall, to the greatest extent possible, be based on
8 evidence-based clinical treatment standards regarding the segregation of
9 sex offenders from the general patient population. In developing such
10 guidelines and procedures, the commissioner shall consult with a panel
11 of stakeholders who shall include, but not be limited to, represen-
12 tatives of consumer advocates, providers and victim rights groups. Such
13 panel shall consist of nine members, of whom: five shall be appointed by
14 the governor, two shall be appointed by the temporary president of the
15 senate and two shall be appointed by the speaker of the assembly.

16 § 4. This act shall take effect immediately.