

# STATE OF NEW YORK

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4925--A

Cal. No. 512

2019-2020 Regular Sessions

## IN SENATE

March 29, 2019

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Introduced by Sens. PARKER, SEPULVEDA -- 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, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the mental hygiene law and chapter 568 of the laws of 2005, amending the mental hygiene law relating to enacting the geriatric mental health act, in relation to mental health care, substance use disorder and compulsive gambling services for the elderly under the geriatric service demonstration program

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

1 Section 1. Section 7.41 of the mental hygiene law, as added by chapter  
2 568 of the laws of 2005, subdivision (a) as amended by chapter 305 of  
3 the laws of 2018, is amended to read as follows:

4 § 7.41 Geriatric service demonstration program.

5 (a) The office shall establish a geriatric service demonstration  
6 program to provide grants, within appropriations therefor, to providers  
7 of mental health care, substance use disorder services, compulsive  
8 gambling services, or any combination thereof, to the elderly, including  
9 organizations that provide health and aging services as well as mental  
10 health, substance use disorder, and compulsive gambling organizations.

11 The office is also authorized, under the demonstration program, to  
12 foster and support collaboration between providers of home care services  
13 licensed or certified under article thirty-six of the public health law  
14 and mental health providers for the integration of health and mental  
15 health care, and for all other enumerated goals of this section. Such  
16 program shall be administered by the office in cooperation with the  
17 office of alcoholism and substance abuse services, the state office for

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

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1 the aging and such other state agencies as the commissioner shall deter-  
2 mine are necessary for the operation of the program.

3 (b) Grants may be awarded by the office to providers of care to older  
4 adults with mental disabilities, substance use disorder, compulsive  
5 gambling, or any combination thereof, for the purposes which may include  
6 one or more of the following:

7 (1) Community integration. Programs which enable older adults with  
8 mental disabilities or older adults suffering from substance use disor-  
9 der or compulsive gambling to age safely in the community and prevent  
10 the unnecessary use of institutional care;

11 (2) Improved quality of treatment. Programs for older adults which  
12 improve the quality of mental health care, substance use disorder or  
13 compulsive gambling services in the community or in residential facili-  
14 ties;

15 (3) Integration of services. Programs which integrate mental health  
16 and aging services with alcohol, drug, health and other support  
17 services;

18 (4) Workforce. Programs which make more efficient use of mental health  
19 [and], substance use disorder, compulsive gambling, health and aging  
20 services professionals by developing alternative service roles for para-  
21 professionals and volunteers, including peers, and programs more effec-  
22 tive in recruitment and retention of bi-lingual, bi-cultural or  
23 culturally competent staff;

24 (5) Family support. Programs which provide support for family caregiv-  
25 ers, to include the provision of care to older adults by younger family  
26 members and by older adults to younger family members;

27 (6) Finance. Programs which have developed and implemented innovative  
28 financing methodologies to support the delivery of best practices;

29 (7) Specialized populations. Programs which concentrate on outreach  
30 to, engagement of and effective treatment of cultural minorities or  
31 veterans as defined in section eighty-five of the civil service law;

32 (8) Information clearinghouse. Programs which compile, distribute and  
33 make available information on clinical developments, program innovations  
34 and policy developments which improve the care to older adults with  
35 mental disabilities or suffering from substance use disorder or compul-  
36 sive gambling; and

37 (9) Staff training. Programs which offer on-going training initiatives  
38 including improved clinical and cultural skills, evidence based geria-  
39 tric mental health, substance use disorder and compulsive gambling  
40 treatment skills, and the identification and management of mental,  
41 behavioral and substance abuse disorders among older adults.

42 (c) The commissioner may adopt rules and regulations necessary to  
43 implement the provisions of this section.

44 § 2. Section 3 of chapter 568 of the laws of 2005, amending the mental  
45 hygiene law relating to enacting the geriatric mental health act, as  
46 amended by chapter 203 of the laws of 2008, is amended to read as  
47 follows:

48 § 3. Interagency geriatric mental health and chemical dependence plan-  
49 ning council. (a) There shall be established an interagency geriatric  
50 mental health and ~~chemical dependence~~ substance use disorder planning  
51 council. Such council shall consist of nineteen members, as follows:

52 (1) the commissioner of mental health, the commissioner of alcoholism  
53 and substance abuse services, the director of the division of veterans'  
54 affairs and the director of the state office for the aging, who shall  
55 serve as the co-chairs of the council. The adjutant general shall serve  
56 as an ex-officio member of the council;

(2) one member appointed by the commissioner of [~~mental retardation and~~] the office for people with developmental disabilities to represent the office [~~of mental retardation and~~] for people with developmental disabilities;

(3) one member appointed by the chairman of the state commission on quality of care and advocacy for persons with disabilities to represent such commission;

(4) one member appointed by the commissioner of health to represent the department of health;

(5) one member appointed by the commissioner of education to represent the education department and the board of regents;

(6) one member appointed by the commissioner of children and family services to represent the office of children and family services on issues relating to adult protective services;

(7) one member appointed by the commissioner of temporary and disability assistance to represent the office of temporary and disability assistance;

(8) four members appointed by the governor; and

(9) two members appointed by the temporary president of the senate and two members appointed by the speaker of the assembly to represent any other organizations which serve or advocate on behalf of elderly persons.

(b) The members of the council shall serve at the pleasure of their appointing authority.

(c) The council shall meet as often as necessary, but not less than four times per calendar year, to develop annual recommendations, to be submitted to the commissioner of mental health, the commissioner of alcoholism and substance abuse services, the director of the division of veterans' affairs, the adjutant general and the director of the state office for the aging, regarding geriatric mental health and [~~chemical dependence~~] substance use disorder needs. Such recommendations may address issues which include: community integration, quality improvement, integration of mental health, substance use disorder, compulsive gambling, health, aging and such relevant services [~~with services to address alcoholism, drug abuse, and health care needs,~~] as appropriate; and workforce development, family support and finance.

§ 3. This act shall take effect immediately.