STATE OF NEW YORK

7108

IN SENATE

(Prefiled)

January 8, 2020

Introduced by Sen. CARLUCCI -- 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 mental hygiene law and the public health law, in relation to home and community-based care and support for individuals with eating disorders

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

Section 1. Section 31.25 of the mental hygiene law, as added by chapter 24 of the laws of 2008, is amended to read as follows:

§ 31.25 Residential services for treatment of eating disorders.

The commissioner shall establish, pursuant to regulation, licensed residential providers of treatment and/or supportive services to children, adolescents, and adults with eating disorders, as that term is defined in section twenty-seven hundred ninety-nine-e of the public health law. Such regulations shall be developed in consultation with representatives from each of the comprehensive care centers for eating disorders established pursuant to article twenty-seven-J of the public health law and licensed treatment professionals, such as physicians, psychiatrists, psychologists and therapists, with demonstrated expertise in treating patients with eating disorders.

In planning discharge and care transition from such residential settings to the individual's own home or apartment, home of a family member or other adult, or to other allowed community settings for home care under article thirty-six of the public health law, the residential provider and comprehensive care center for eating disorders shall consider coordination with home care agency professionals under article thirty-six of such law to provide pre-discharge, transitional and post-discharge home and community-based care if conducive to the individual's continued recovery, stability and progressive outcome, including prevention of further, potentially avoidable hospital, emergency room or residential provider admissions. Such home care agency professionals and services may include, but are not limited to, nursing, therapy, social

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

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work, nutritional counseling, home health aide and other home care agency services as are sanctioned under subdivision two of section thirty-six hundred two of the public health law.

§ 2. Subparagraph (i) of paragraph (a) of subdivision 1 of section 2799-g of the public health law, as added by chapter 114 of the laws of 2004, is amended to read as follows:

(i) Individual health, psychosocial and case management services, in both noninstitutional and institutional settings, from licensed and certified practitioners with demonstrated experience and expertise in providing services to individuals with eating disorders; such settings and practitioners may include transitional and continued recovery and support services for individuals on an in-home basis provided by home health agencies, home care services agencies or long term home health care programs licensed or certified under article thirty-six of this chapter, provided pursuant to the patient's medical orders, and in coordination with comprehensive care centers under this article and/or residential services providers for eating disorders licensed under section 31.25 of the mental hygiene law. For purposes of this section, "in-home" means the individual's own home or apartment, home of a family member or other adult, or other allowed community settings for home care under article thirty-six of this chapter, and "transitional and continued recovery and support services" mean nursing, therapy, social work, nutritional counselling, home health aide and other home care agency services as are sanctioned under subdivision two of section thirty-six hundred two of this chapter.

§ 3. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.