

# STATE OF NEW YORK

10100

## IN ASSEMBLY

March 12, 2020

Introduced by M. of A. MALLIOTAKIS -- read once and referred to the  
Committee on Mental Health

AN ACT to amend the mental hygiene law, in relation to requiring certain  
facilities to have a staff member specifically trained in filing  
assisted outpatient treatment petitions

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

1 Section 1. Section 9.60 of the mental hygiene law is amended by adding  
2 a new subdivision (s) to read as follows:

3 (s) (1) The commissioner, in consultation with the commissioner of  
4 health and the commissioner of corrections and community supervision,  
5 shall require hospitals licensed or operated by the office of mental  
6 health operating a program pursuant to subdivision (b) of this section,  
7 hospitals subject to the provisions of article twenty-eight of the  
8 public health law and correctional facilities as defined in section two  
9 of the correction law to have a staff member specifically trained in  
10 filing assisted outpatient treatment petitions.

11 (2) When an individual being released from a mental health hospital  
12 under section 7.17 of this chapter, a hospital subject to the provisions  
13 of article twenty-eight of the public health law, or a correctional  
14 facility as defined in section two of the correction law, if such indi-  
15 vidual is found to have a history of mental illness, or the individual  
16 is determined during a court ordered mandatory evaluation to suffer from  
17 mental illness, such individual shall not be released until he or she  
18 has been counseled on and registered with services which shall be avail-  
19 able to such individual once he or she is released.

20 § 2. This act shall take effect on the thirtieth day after it shall  
21 have become a law; provided, however the amendments made to section 9.60  
22 of the mental hygiene law made by section one of this act shall not  
23 affect the repeal of such section and shall be deemed repealed there-  
24 with.

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

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