

STATE OF NEW YORK

4943--A

Cal. No. 190

2019-2020 Regular Sessions

IN ASSEMBLY

February 5, 2019

Introduced by M. of A. L. ROSENTHAL, DenDEKKER -- read once and referred to the Committee on Alcoholism and Drug Abuse -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the mental hygiene law, in relation to annual reporting on substance use disorder in incarcerated individuals

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

Section 1. Subdivision (h) of section 19.07 of the mental hygiene law, as amended by section 118-f of subpart B of part C of chapter 62 of the laws of 2011, is amended to read as follows:

(h) The office of [~~alcoholism and substance abuse~~] addiction services and supports shall monitor programs providing care and treatment to [~~inmates~~] incarcerated individuals in correctional facilities operated by the department of corrections and community supervision who have a history of alcohol or substance [~~abuse~~] use disorder or dependence. The office shall also develop guidelines for the operation of alcohol and substance [~~abuse~~] use disorder treatment programs in such correctional facilities, based on best practices, including the use of harm reduction strategies, and tailored to the nature of the individual's substance use, history of past treatment, and history of mental illness or trauma, in order to ensure that such programs sufficiently meet the needs of [~~inmates~~] incarcerated individuals with a history of alcohol or substance [~~abuse~~] use disorder or dependence and promote the successful transition to treatment in the community upon release. No later than the first day of December of each year, the office shall submit a report regarding: (1) the adequacy and effectiveness of alcohol and substance [~~abuse~~] use disorder treatment programs operated by the department of corrections and community supervision; (2) the total number of incarcerated individuals in correctional facilities that have been screened for, and determined to have, a substance use disorder; (3) information

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

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1 regarding which substances incarcerated individuals are most dependent
2 upon and the available treatment for such individuals within each
3 correctional facility; and (4) how many individuals participate in each
4 of the treatment programs operated by the department of corrections and
5 community supervision and the substances to which participants in each
6 program are addicted, at what point in their incarceration participants
7 began receiving treatment, and how many individuals failed to complete a
8 treatment program and the reason, including how many were removed as a
9 result of a disciplinary proceeding, the reason for this proceeding,
10 whether the individual was found to have used drugs, whether the use of
11 drugs was identified through a drug test, and what the outcome of the
12 disciplinary proceeding was, including whether the individual was placed
13 in a special housing unit, keep lock or residential treatment program.
14 The department of corrections and community supervision shall provide
15 the office with information needed to complete this report. Such report
16 shall be sent to the governor, the temporary president of the senate,
17 the speaker of the assembly, the chairman of the senate committee on
18 crime victims, crime and correction, and the chairman of the assembly
19 committee on correction.

20 § 2. This act shall take effect immediately.