

STATE OF NEW YORK

8166

2019-2020 Regular Sessions

IN ASSEMBLY

June 4, 2019

Introduced by M. of A. ORTIZ -- read once and referred to the Committee on Alcoholism and Drug Abuse

AN ACT to amend the mental hygiene law, in relation to notice to certain persons of a patient treated in a chemical dependence program or facility

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

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

3 § 2. The mental hygiene law is amended by adding a new section 22.09-a
4 to read as follows:

5 § 22.09-a Notice to certain persons of patients treated.

6 (a) When a patient who is currently being treated or has been treated
7 in the last seven days in a treatment program certified by the office
8 demonstrates behavior or conditions that the program believes may cause
9 life-threatening harm to such patient such as missing a scheduled
10 appointment or testing positive for a controlled substance, and when the
11 treatment program has on file a release of information permitting the
12 program to share specific information with specific parties pertaining
13 to the patient's behavior or conditions believed to be life-threatening,
14 the treatment program shall notify parties to whom the patient has
15 authorized consent for the release of confidential information with
16 details consistent with the release of information on file and consist-
17 ent with federal and state laws.

18 (b) The treatment program shall only be required to use contact infor-
19 mation as specified on the form authorizing consent for the release of
20 confidential information to contact those who are in a position to
21 reduce the harm of a potential relapse. A party which does not list
22 contact information on such form waives its right to receive notice of
23 occurrences under this section.

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

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1 (c) A treatment program shall not be required to contact more than
2 three parties for any single occurrence.

3 § 3. The office of alcoholism and substance abuse services shall
4 update the TRS-2 form (Consent for Release of Information Concerning
5 Alcoholism/Drug Abuse Patient) to include a space in which a signatory
6 may add immediate contact information for persons who are authorized to
7 receive medical information, including but not limited to a phone number
8 and/or an email address. The updated form shall be published no more
9 than ninety days after the effective date of this act.

10 § 4. This act shall take effect on the one hundred eightieth day after
11 it shall have become a law.