STATE OF NEW YORK

6288--A

2019-2020 Regular Sessions

IN SENATE

June 3, 2019

Introduced by Sens. SEPULVEDA, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Mental Health and Developmental Disabilities in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 incarcer-**

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

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

§ 2. This act shall take effect immediately.