STATE OF NEW YORK

2209

2021-2022 Regular Sessions

IN SENATE

January 20, 2021

Introduced by Sens. SEPULVEDA, BIAGGI, BROOKS, KAPLAN, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health

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, and tailored to the nature of the individual's substance use, history of past treatment, and history of mental illness or trauma, which may include harm reduction strategies,** 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 regarding which substances incarcerated individuals are most dependent**

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

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upon and the available treatment for such individuals within each correctional facility; (4) the total number of individuals who participate in each of the treatment programs operated by the department of corrections and community supervision; and (5) the total number of individuals who participated in a substance use disorder treatment program but failed to complete such program, as well as whether such failure to complete the program was a result of disciplinary action taken by the facility against the individual for instances unrelated to their participation in the 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.