

# STATE OF NEW YORK

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334--A

Cal. No. 841

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

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Introduced by Sens. MYRIE, KAPLAN -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the mental hygiene law, in relation to reports on short term crisis respite and intensive crisis respite programs

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

1 Section 1. Section 7.09 of the mental hygiene law is amended by adding  
2 a new subdivision (m) to read as follows:

3 (m) (1) For the purposes of this subdivision the following terms shall  
4 be defined as:

5 (i) "short term crisis respite" shall mean a short term care and  
6 intervention strategy provided in a site based residential setting for  
7 individuals who are: experiencing challenges in daily life that create a  
8 risk for escalation of symptoms that cannot be managed in the person's  
9 home and/or community environment; at imminent risk for an escalation of  
10 symptoms and/or a loss of adult role functioning but who do not pose an  
11 imminent risk to the safety of themselves or others; or experiencing a  
12 challenging emotional crisis which the individual is unable to manage  
13 without intensive assistance and support;

14 (ii) "intensive crisis respite" shall mean a short-term, residential  
15 care and clinical intervention strategy for individuals who are facing a  
16 behavioral health crisis, and who are at imminent risk for loss of func-  
17 tional abilities, and without this level of care may present safety  
18 concerns for themselves and/or others.

19 (2) The commissioner shall furnish and issue a report to the governor,  
20 the speaker of the assembly, and the temporary president of the senate

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

LBD02394-02-1

1 no later than one year after the effective date of this subdivision on  
2 the following information as it relates to short term crisis respite and  
3 intensive crisis respite programs:

4 (i) the number of short term and intensive crisis respite programs in  
5 each county;

6 (ii) the number of individuals served by short term and intensive  
7 crisis respite programs in each county each month;

8 (iii) the most prevalent factors for admission of individuals who  
9 received either type of crisis respite service, including the most  
10 prevalent type of setting an individual was referred from, and the most  
11 prevalent mental health diagnosis for individuals accepted into either  
12 type of crisis respite program each month;

13 (iv) the percentage of individuals diverted from the use of inpatient  
14 or hospital emergency room care due to experiencing a mental health  
15 crisis, for at least thirty days after being discharged from either type  
16 crisis respite program each month;

17 (v) types of services provided by a short term or intensive crisis  
18 respite program, including the type of staff and training required for  
19 the provision of such services as well as any additional services or  
20 types of staff and training that may be beneficial to individuals  
21 receiving such services; and

22 (vi) identifying parts of the state that would benefit from short term  
23 and/or intensive crisis respite programs or where an expansions of  
24 services would be appropriate.

25 (3) The commissioner is authorized to request the assistance of any  
26 local mental health programs, state agencies, or the local mental  
27 hygiene directors, for the purpose of identifying existing short term or  
28 intensive crisis respite programs and completing the report required  
29 under this subdivision.

30 § 2. This act shall take effect immediately.