

STATE OF NEW YORK

3608

2021-2022 Regular Sessions

IN ASSEMBLY

January 28, 2021

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

AN ACT to amend the public health law and the mental hygiene law, in relation to the standard of care in the treatment of substance abuse disorder

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

1 Section 1. Paragraphs (b) and (c) of subdivision 2 of section 2803-u
2 of the public health law, as added by section 1 of part C of chapter 70
3 of the laws of 2016, are amended to read as follows:

4 (b) establish and implement training, within existing or in addition
5 to current training programs, for all individuals licensed or certified
6 pursuant to title eight of the education law who provide direct patient
7 care regarding the policies and procedures established pursuant to this
8 section; [~~and~~]

9 (c) except where an individual has come into the hospital under
10 section 22.09 of the mental hygiene law, if the hospital does not
11 directly provide substance use disorder services, then it shall refer
12 individuals in need of substance use disorder services to and coordinate
13 with substance use disorder services programs that provide behavioral
14 health services, as defined in section 1.03 of the mental hygiene law;
15 and

16 (d) establish within existing or in addition to current policies or
17 procedures, that the standard of care in the treatment of individuals
18 with a substance abuse disorder shall, at a minimum, be held to the same
19 standard of care as medication assisted treatment. For purposes of this
20 subdivision "medication assisted treatment" means the use of prescribed
21 medications including, but not limited to, methadone, buprenorphine and
22 naltrexone, combined with counseling and behavioral therapies, as a
23 comprehensive approach to the treatment of opioid addiction.

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

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1 § 2. Section 29.13 of the mental hygiene law is amended by adding a
2 new subdivision (c) to read as follows:

3 (c) Any plan written pursuant to this section that applies to
4 substance abuse facilities shall include a designation that the standard
5 of care, in the treatment of individuals with a substance abuse disor-
6 der, be held to the same standard of care as medication assisted treat-
7 ment. For purposes of this subdivision "medication assisted treatment"
8 means the use of prescribed medications including, but not limited to,
9 methadone, buprenorphine and naltrexone, combined with counseling and
10 behavioral therapies, as a comprehensive approach to the treatment of
11 opioid addiction.

12 § 3. This act shall take effect immediately.