

STATE OF NEW YORK

5121

2021-2022 Regular Sessions

IN SENATE

February 24, 2021

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to requiring hospitals to provide medically supervised detoxification services

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 and a new paragraph (d) is added to
4 read as follows:

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

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

17 (d) provide medically supervised detoxification services to all
18 patients requiring such services; provided, that if the hospital is at
19 ninety percent capacity or greater, such hospital shall connect the
20 patient to an alternative facility within such patient's network to
21 access such medically supervised detoxification services without any
22 increased risk to the health or life of the patient.

23 § 2. This act shall take effect on the thirtieth day after the expira-
24 tion of the declared state of emergency relating to the novel coronavi-
25 rus (COVID-19); provided, that the superintendent of financial services

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

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1 shall notify the legislative bill drafting commission upon the occur-
2 rence of the expiration of the state disaster emergency declared by
3 executive order number 202 and any further amendments or modifications,
4 and as may be further extended pursuant to section 28 of the executive
5 law, in order that the commission may maintain an accurate and timely
6 effective data base of the official text of the laws of the state of New
7 York in furtherance of effectuating the provisions of section 44 of the
8 legislative law and section 70-b of the public officers law.