STATE OF NEW YORK

5434

2021-2022 Regular Sessions

IN SENATE

March 4, 2021

Introduced by Sen. HARCKHAM -- 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 including certain information about seeking extreme risk protection orders in written service plans for discharge and conditional release of patients to the community

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

Section 1. Paragraph 5 of subdivision (g) of section 29.15 of the mental hygiene law, as added by chapter 306 of the laws of 1995, is amended and a new paragraph 6 is added to read as follows:

[~~(5) an~~] **5. An** evaluation of the patient's need and potential eligibility public benefits following discharge or conditional release, including public assistance, medicaid, and supplemental security income.

6. Material providing information related to seeking extreme risk protection orders, pursuant to article sixty-three-A of the civil practice law and rules. Such material shall inform the patient, and an authorized representative of such patient who has actively participated in the development of a plan for such patient's discharge or conditional release pursuant to subdivision (f) of this section, and who may act as a petitioner, as such term is defined by section sixty-three hundred forty of the civil practice law and rules, to file an application for an extreme risk protection order in accordance with section sixty-three hundred forty-one of the civil practice law and rules. Such material shall also include the factors that a court may consider in determining whether grounds for issuing an extreme risk protection order exist, as provided by subdivision two of section sixty-three hundred forty-two of the civil practice law and rules.

§ 2. This act shall take effect immediately.

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

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