STATE OF NEW YORK

1997

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

Introduced by M. of A. JOYNER -- read once and referred to the Committee on Mental Health

AN ACT to amend the mental hygiene law, in relation to establishing the New York state council on mental health emergency and crisis response

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

Section 1. The mental hygiene law is amended by adding a new section 7.42 to read as follows:

§ 7.42 New York state council on mental health emergency and crisis response.

(a) There is hereby created in the office, the New York state advisory council on mental health emergency and crisis response. The council shall consist of, at a minimum: the commissioner or his or her designee; the commissioner of the department of corrections and community supervision or his or her designee; an individual representing the state conference of local mental hygiene directors as established under article forty-one of this chapter; an individual representing the mental hygiene legal service as established under article forty-seven of this chapter; and thirty-two additional members of which twelve shall be appointed by the governor, eight shall be appointed by the speaker of the assembly, eight shall be appointed by the temporary speaker of the senate, and two each shall be appointed by the minority leader of the assembly and senate. Each appointed representative shall be representative of the following and shall represent each geographic area of the state. Members shall be knowledgeable in various aspects of mobile crisis mental health services and shall include, but not be limited to: (i) representatives of mobile crisis outreach teams; (ii) statewide organizations representing mental health providers; (iii) statewide advocacy groups representing individuals with a psychiatric condition; (iv) representatives of hospitals including but not limited to hospitals operating a comprehensive psychiatric emergency program; (v) physicians

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

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and other health professionals, mental health professionals, and peers with experience in the delivery of mental health crisis services; and (vi) first responders and law enforcement.

(b) The council shall make recommendations to the commissioner on topics including but not limited to: (i) identifying best practices for response to mental health crises; (ii) initiatives to increase training opportunities and participation of mental health professionals, and other qualified individuals as members of mobile crisis outreach teams; (iii) identify training needs and methods to improve diversion from hospitalization after response from a mobile crisis outreach team; (iv) identify the need for establishing mobile crisis outreach teams in each region of the state and accessing alternatives to hospitalization; (v) public education and outreach on the benefit of mobile crisis outreach teams and how to access their services; (vi) other alternative or innovative approaches in relation to community based mental health crisis response; and (vii) any other recommendation deemed appropriate by the council.

(c) The term of office of each member shall be two years. Vacancies shall be filled by appointment for the remainder of an unexpired term. The members shall continue in office until the expiration of their terms and until their successors are appointed and have qualified. No member shall be appointed to the state council for more than four consecutive terms.

(d) The council shall meet as frequently as its business may require. The presence of a majority of the members shall constitute a quorum. The members of the council shall receive no compensation for their services as members.

(e) The commissioner, upon request of the council, shall designate an officer or employee of the office to act as secretary of the council, and shall assign from time to time such other employees as the council may require.

(f) The council shall develop and submit a report to the governor, the speaker of the assembly, and the temporary president of the senate no later than December thirty-first, two thousand twenty-three and annually thereafter, pertaining to the recommendations required by this section, and recommendations to effectively implement any initiative identified by the council and other recommendations deemed appropriate by the commissioner.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.