STATE OF NEW YORK

5185

2023-2024 Regular Sessions

IN ASSEMBLY

March 3, 2023

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

AN ACT to amend the mental hygiene law, in relation to requiring certain facilities to have a staff member specifically trained in filing assisted outpatient treatment petitions

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

Section 1. Section 9.60 of the mental hygiene law is amended by adding a new subdivision (t) to read as follows:

(t) (1) The commissioner, in consultation with the commissioner of health and the commissioner of corrections and community supervision, shall require hospitals licensed or operated by the office of mental health operating a program pursuant to subdivision (b) of this section, hospitals subject to the provisions of article twenty-eight of the public health law and correctional facilities as defined in section two of the correction law to have a staff member specifically trained in filing assisted outpatient treatment petitions.

(2) When an individual being released from a mental health hospital under section 7.17 of this chapter, a hospital subject to the provisions of article twenty-eight of the public health law, or a correctional facility as defined in section two of the correction law, if such individual is found to have a history of mental illness, or the individual is determined during a court ordered mandatory evaluation to suffer from mental illness, such individual shall not be released until he or she has been counseled on and registered with services which shall be available to such individual once he or she is released.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law; provided, however the amendments made to section 9.60 of the mental hygiene law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

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

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