STATE OF NEW YORK

7083

2023-2024 Regular Sessions

IN ASSEMBLY

May 10, 2023

Introduced by M. of A. CHANDLER-WATERMAN -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the mental hygiene law, the public health law and the executive law, in relation to establishing a training program for first responders for handling emergency situations involving individuals in emotional distress or experiencing an emotional or mental health crisis; and to amend the executive law, in relation to requiring documents utilized by state agencies, public authorities and municipalities to replace the term "emotionally disturbed person" with the term "person in crisis"

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 7.50 to read as follows:

§ 7.50 First responder training.

(a) The commissioner, in consultation with the commissioner of health, the office of fire prevention and control, the municipal police training council, and the superintendent of state police, shall develop a training program and associated training materials, to provide instruction and information to firefighters, police officers and emergency medical services personnel on appropriate recognition and response techniques for handling emergency situations involving individuals in emotional distress or experiencing an emotional or mental health crisis. Such training program and materials shall include training in sensitivity to descriptive terms used with reference to the person in crisis; shall require a person experiencing in emotional distress or experiencing an emotional or mental health crisis to be referred to being a "person in crisis"; and shall prohibit the use of the term "emotionally disturbed person". The training program and associated training materials shall include any other information deemed necessary and appropriate by the commissioner.

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

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(b) Such training shall address appropriate response techniques for dealing with both adults and minors in emotional distress or experiencing an emotional or mental health crisis.

(c) Such training program may be developed as an online program.

§ 2. The public health law is amended by adding a new section 3055 to read as follows:

§ 3055. Emergency situations involving individuals in emotional distress or experiencing an emotional or mental health crisis. In coordination with the commissioner of the office of mental health, the commissioner shall provide the training program relating to handling emergency situations involving individuals in emotional distress or experiencing an emotional or mental health crisis and associated training materials pursuant to section 7.50 of the mental hygiene law to all emergency medical services personnel including, but not limited to, first responders, emergency medical technicians, advanced emergency medical technicians and emergency vehicle operators.

§ 3. Section 156 of the executive law is amended by adding a new subdivision 23 to read as follows:

23. In coordination with the commissioner of the office of mental health, provide the training program relating to handling emergency situations involving individuals in emotional distress or experiencing an emotional or mental health crisis and associated training materials pursuant to section 7.50 of the mental hygiene law to all firefighters, both paid and volunteer. The office shall adopt all necessary rules and regulations relating to such training, including the process by which training hours are allocated to counties as well as a uniform procedure for requesting and providing additional training hours.

§ 4. Section 840 of the executive law is amended by adding a new subdivision 8 to read as follows:

8. The council shall, in addition:

(a) Develop, maintain and disseminate, in consultation with the commissioner of the office of mental health, written policies and procedures consistent with section 7.50 of the mental hygiene law, regarding the handling of emergency situations involving individuals in emotional distress or experiencing an emotional or mental health crisis. Such policies and procedures shall make provisions for the education and training of new and veteran police officers on the handling of emergency situations involving individuals in emotional distress or experiencing an emotional or mental health crisis; and

(b) Recommend to the governor, rules and regulations with respect to the establishment and implementation on an ongoing basis of a training program for all current and new police officers regarding the policies and procedures established pursuant to this subdivision, along with recommendations for periodic retraining of police officers.

§ 5. The executive law is amended by adding a new section 214-i to read as follows:

§ 214-i. Emergency situations involving people in emotional distress or experiencing an emotional or mental health crisis. The superintendent shall, for all members of the state police:

1. Develop, maintain and disseminate, in consultation with the commissioner of mental health, written policies and procedures consistent with section 7.50 of the mental hygiene law, regarding the handling of emergency situations involving individuals in emotional distress or experiencing an emotional or mental health crisis. Such policies and procedures shall make provisions for the education and training of new and veteran police officers on the handling of emergency situations involv-

ing individuals in emotional distress or experiencing an emotional or mental health crisis; and

2. Recommend to the governor, rules and regulations with respect to establishment and implementation on an ongoing basis of a training program for all current and new police officers regarding the policies and procedures established pursuant to this section, along with recommendations for periodic retraining of police officers.

§ 6. The executive law is amended by adding a new section 170-g to read as follows:

§ 170-g. Mental health references contained in state and municipal forms. No form or preprinted document utilized by a state agency or public authority or by a municipality shall use the term "emotionally disturbed person" to identify or denote a person in emotional distress or experiencing an emotional or mental health crisis. Any form or preprinted document utilizing such term shall be amended no later than January first, two thousand twenty-four to replace the term "emotionally disturbed person" with the term "person in crisis" or to otherwise refer to such persons as experiencing distress or an emotional or mental health crisis.

§ 7. This act shall take effect on the one hundred eightieth 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.