STATE OF NEW YORK

897

2023-2024 Regular Sessions

IN ASSEMBLY

January 11, 2023

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Alcoholism and Drug Abuse

AN ACT to amend the public health law and the mental hygiene law, in relation to the standard of care in the treatment of substance abuse disorder

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

Section 1. Paragraphs (b) and (c) of subdivision 2 of section 2803-u of the public health law, as added by section 1 of part C of chapter 70 of the laws of 2016, are amended to read as follows:

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

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

(d) establish within existing or in addition to current policies or procedures, that the standard of care in the treatment of individuals with a substance abuse disorder shall, at a minimum, be held to the same standard of care as medication assisted treatment. For purposes of this subdivision "medication assisted treatment" means the use of prescribed medications including, but not limited to, methadone, buprenorphine and naltrexone, combined with counseling and behavioral therapies, as a comprehensive approach to the treatment of opioid addiction.

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

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§ 2. Section 29.13 of the mental hygiene law is amended by adding a new subdivision (c) to read as follows:

(c) Any plan written pursuant to this section that applies to substance abuse facilities shall include a designation that the standard of care, in the treatment of individuals with a substance abuse disorder, be held to the same standard of care as medication assisted treatment. For purposes of this subdivision "medication assisted treatment" means the use of prescribed medications including, but not limited to, methadone, buprenorphine and naltrexone, combined with counseling and behavioral therapies, as a comprehensive approach to the treatment of opioid addiction.

§ 3. This act shall take effect immediately.