

STATE OF NEW YORK

7928

IN SENATE

January 3, 2024

Introduced by Sen. HOYLMAN-SIGAL -- read twice and ordered printed, and when printed to be committed to the Committee on Alcoholism and Substance Use Disorders

AN ACT to amend the mental hygiene law, in relation to authorizing certain providers of services to administer and dispense methadone or other controlled substances

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

1 Section 1. Paragraphs 4 and 5 of subdivision (b) of section 32.09 of
2 the mental hygiene law, as added by chapter 558 of the laws of 1999, are
3 amended to read as follows:

4 4. the applicant is able to comply with all applicable state and
5 federal laws; [~~and~~]

6 5. the applicant will establish procedures to effectively implement a
7 detoxification program to further relieve addicts from dependence upon
8 methadone or such other controlled substances prescribed for treatment
9 in subject maintenance programs; and

10 6. the applicant has established, or taken concrete steps to estab-
11 lish, a community advisory board consisting of residents of the communi-
12 ty served by such applicant to consider and advise the provider on
13 matters concerning the development of any plans or programs of such
14 provider.

15 § 2. The opening paragraph of subdivision (c) of section 32.31 of the
16 mental hygiene law, as amended by chapter 529 of the laws of 2004, is
17 amended to read as follows:

18 The commissioner shall not approve a certificate of incorporation or
19 articles of organization or application for establishment unless the
20 provisions of subdivision (a) and, in cases involving the administration
21 and dispensing of methadone or other controlled substances, subdivision
22 (b) of section 32.09 of this article have been met and that the commis-
23 sioner is satisfied, insofar as applicable, as to:

24 § 3. This act shall take effect on the ninetieth day after it shall
25 have become a law.

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

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