

# STATE OF NEW YORK

8359

## IN SENATE

January 22, 2024

Introduced by Sen. BROUK -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health

AN ACT to amend the executive law, in relation to establishing a state-wide youth mental health advisory board

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

1 Section 1. Legislative findings. The legislature hereby finds and  
2 declares that poor mental health outcomes for youth is a public health  
3 crisis that poses a threat to the health, wellbeing, and quality of life  
4 for youth now and in the future. The legislature acknowledges the need  
5 for youth voice and youth leadership in advocating for themselves and  
6 others regarding mental and behavioral needs. Amongst the shortage of  
7 behavioral and mental specialists, lack of representation within margi-  
8 nalized communities, and insufficient funding infrastructure and oppor-  
9 tunities for appropriate school-based services, the legislature hereby  
10 finds the importance in establishing a dedicated board to support youth  
11 in their mental and behavioral needs by increasing youth participation  
12 in state government. A dedicated board would provide advancement in  
13 creating policies that aid in improving youth outcomes in an effort to  
14 address and resolve the youth mental health crisis in New York.

15 § 2. The executive law is amended by adding a new article 19-E to read  
16 as follows:

### ARTICLE 19-E

#### NEW YORK YOUTH MENTAL HEALTH ADVISORY BOARD

19 Section 461. New York youth mental health advisory board.

20 462. Organization and membership.

21 463. Powers and duties.

22 464. Report.

23 § 461. New York youth mental health advisory board. There is hereby  
24 established a New York youth mental health advisory board (advisory  
25 board) to examine, evaluate, confer and provide recommendations for the  
26 needs and concerns related to the mental health of youth now and in the  
27 future. The New York youth mental health advisory board shall formally

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

LBD13968-02-4

1 advise and make recommendations regarding the issues enumerated in  
2 section four hundred sixty-three of this article.

3 § 462. Organization and membership. 1. There shall be an oversight  
4 committee to the advisory board established by this article which shall  
5 be composed of the temporary president of the senate, the speaker of the  
6 assembly, the chair of the senate mental health committee, and the chair  
7 of the assembly mental health committee, or their designees. The over-  
8 sight committee shall be responsible for appointing members to the advi-  
9 sory board and overseeing their activities, functions and duties.

10 2. The youth mental health advisory board shall consist of seventy-two  
11 members as follows:

12 (a) sixty-two members representing the diverse racial, ethnic,  
13 geographic, socioeconomic, cultural, and religious backgrounds of the  
14 state; and

15 (b) ten at large members representing New York city.

16 3. Members shall:

17 (a) be at least sixteen years of age, but no older than twenty years  
18 of age;

19 (b) be enrolled in and attending a public, online or home-based educa-  
20 tional program in New York state; and

21 (c) have resided in this state for at least one year.

22 4. The application process and appointment of members to the advisory  
23 board shall be made by the oversight committee no later than ninety days  
24 after the effective date of this section. Appointments of youth repre-  
25 sentatives shall be diverse, equitable, and inclusive of youths from  
26 various racial, ethnic, geographic, socioeconomic, cultural, and reli-  
27 gious backgrounds. The advisory committee shall make a best possible  
28 effort to include youth mental health consumers who are receiving, or  
29 have received, mental health services, or have siblings or immediate  
30 family members who are mental health consumers. Members shall be  
31 appointed for terms of two years. The advisory committee will be respon-  
32 sible for creating the process to fill vacancies.

33 § 463. Powers and duties. 1. The oversight committee shall develop  
34 rules, procedures, and a leadership structure for the advisory board.  
35 The advisory board shall meet as frequently as its business may require,  
36 but no less frequently than four times per year. Meetings may be held  
37 virtually, provided that the oversight committee may provide for in-per-  
38 son meetings as they determine as necessary or desirable. The advisory  
39 board members shall be reimbursed for any relevant fees and expenses  
40 incurred when attending in-person meetings. The advisory board shall  
41 have the following duties which shall include, but not be limited to:

42 (a) Making recommendations to the oversight committee regarding:

43 (i) the betterment of mental, behavioral, and physical health of  
44 youth;

45 (ii) initiatives for suicide prevention and supports;

46 (iii) implications of social media on mental health and protective  
47 factors;

48 (iv) advancements in mental health wellness;

49 (v) access to state and local government services;

50 (vi) educational development within schools;

51 (vii) bullying prevention;

52 (viii) substance abuse and misuse in relation to mental health;

53 (ix) poverty in relation to mental health;

54 (x) implications of trauma informed care;

55 (xi) inclusion of youth participation in state and local governments;  
56 and

1 (xii) any other topics related to youth mental health that the board  
2 considers relevant.

3 (b) Proposing ideas for legislation to the oversight committee and  
4 commenting on pending legislation dealing with issues related to youth  
5 mental health.

6 (c) Working with any existing and appropriate local, state, or  
7 national organizations and groups, including youth groups, to collect  
8 and analyze information on issues related to youth mental health.

9 (d) At the discretion of the oversight committee, providing testimony  
10 to any legislative committees, commissions, task forces, or state agen-  
11 cies and departments, as appropriate.

12 (e) Setting priorities and establishing any subcommittees that may be  
13 necessary to achieve the goals of the advisory board.

14 2. The oversight committee, subject to appropriation, may contract  
15 with a mental health professional and other appropriate staff members to  
16 assist the advisory board and facilitate its powers and duties.

17 § 464. Report. The advisory board, in cooperation with the oversight  
18 committee, shall develop and submit a joint report to the speaker of the  
19 assembly, the temporary president of the senate, the chair of the senate  
20 mental health committee, and the chair of the assembly mental health  
21 committee no later than December thirty-first, two thousand twenty-four  
22 and annually thereafter regarding the recommendations, findings and  
23 other activities of the advisory board. Additionally, the report shall  
24 indicate recommendations for the implementation of any initiatives  
25 developed by the advisory board or other appropriate recommendations of  
26 the oversight committee.

27 § 3. This act shall take effect on the one hundred twentieth day after  
28 it shall have become a law. Effective immediately, the addition, amend-  
29 ment and/or repeal of any rule or regulation necessary for the implemen-  
30 tation of this act on its effective date are authorized to be made and  
31 completed on or before such effective date.