STATE OF NEW YORK

8717

IN SENATE

March 4, 2024

Introduced by Sen. FERNANDEZ -- 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 the certification of innovative statewide substance use disorder treatment services

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 32.05-b to read as follows:

§ 32.05-b Certification of innovative statewide substance use disorder treatment services.

1. The commissioner of the office of addiction services and supports shall develop a statewide process for the certification of entities seeking to provide in-home based substance use disorder treatment services, pursuant to guidelines established by such commissioner. Applicants shall demonstrate to the commissioner of the office of addiction services and supports' satisfaction that they are able to meet applicable regulatory service standards pursuant to 14 NYCRR part 822, as amended from time to time. Out of state applicants shall be required to be registered with the department of state, with a physical address in the state of New York.

2. Notwithstanding article forty-one of this chapter, the commissioner of the office of addiction services and supports shall develop a process to ensure local governmental input and consultation for the review of applications for certification under this section. Such process shall be limited to one prior consultation meeting to be held with representatives of local governmental units, as determined by the commissioner of the office of addiction services and supports. As part of such prior consultation, applicants shall present an identified needs assessment to support their application and a proposal for services.

3. Applicants under this section shall have the capacity to provide individual, family and group counseling as clinically indicated by individual patient person-centered planning. In addition, applicants shall be required to provide, at a minimum, the following:

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

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(a) an admission assessment including a screening for problem gambling, overdose risk and co-occurring mental health conditions, including suicide risk;

(b) safety plans for suicide and overdose risk based on the results of such screenings;

(c) a plan for monitoring individuals at elevated risk for overdose or suicide;

(d) treatment recovery planning and review;

(e) medication for addiction treatment, including a detailed policy which describes referral to the first in-person visit;

(f) the provision of naloxone by prescription or dispensation; and

(g) toxicology testing.

4. The commissioner of the office of addiction services and supports shall issue the guidelines required by this section not later than six months from the effective date of this section.

§ 2. This act shall take effect immediately.