STATE OF NEW YORK

8765

IN SENATE

March 8, 2024

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

AN ACT to amend the mental hygiene law, in relation to qualified mental health associates

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

Section 1. Section 7.07 of the mental hygiene law is amended by adding a new subdivision (i) to read as follows:

(i) The office of mental health shall foster programs for the training and development of persons capable of providing coaching and support to individuals under treatment plans developed by licensed mental health practitioners, including but not limited to a process of issuing, either directly or through contract, credentials for qualified mental health associates in accordance with the following:

(1) The office shall establish minimum qualifications for associates in all phases of delivery of services to persons who are under a treatment plan developed by a practitioner licensed under the education law that shall include, but not be limited to, completion of approved courses of study or equivalent on-the-job experience in assisting licensed mental health practitioners through coaching and supporting individuals under treatment plans. Such approved courses of study or equivalent on-the-job experience shall include: providing trauma-informed, patient-centered care; referring individuals to appropriate treatments for co-occurring disorders; and sensitivity training. Such courses shall be updated as needed to reflect evolving best practices in harm reduction, treatment and long-term recovery. For the purposes of this paragraph, sensitivity training shall mean a form of training with the goal of making people more aware of their own prejudices and more sensitive to others.

(i) The office shall establish procedures for issuing, directly or through contract, credentials to associates who meet minimum qualifications, including the establishment of appropriate fees, and shall further establish procedures to suspend, revoke, or annul such creden-

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

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tials for good cause. Such procedures shall be promulgated by the commissioner by rule or regulation.

(ii) The commissioner shall establish a credentialing board which shall provide advice concerning the credentialing process.

(2) The establishment of minimum qualifications for associates in all phases of delivery of services to those who are under a treatment plan developed by a practitioner licensed under the education law that shall include, but not be limited to, completion of approved courses of study or equivalent on-the-job experience in assisting licensed mental health practitioners through coaching and supporting individuals under treatment plans, and issue credentials to associates who meet minimum qualifications and suspend, revoke, or annul such credentials for good cause in accordance with procedures promulgated by the commissioner by rule or regulation.

(3) For the purpose of this title, the term "qualified mental health associate" or "QMHA" means an official designation identifying an individual as one who holds a currently registered and valid credential issued by the office of mental health pursuant to this section which documents an individual's qualifications to assist licensed mental health practitioners through coaching and supporting individuals under treatment plans.

(i) No person shall use the title qualified mental health associate or QMHA unless authorized pursuant to this title.

(ii) Failure to comply with the requirements of this subdivision shall constitute a violation as defined in the penal law.

§ 2. This act shall take effect immediately.