

STATE OF NEW YORK

8765--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

3 (i) The office either directly or through contract, shall develop
4 training, approved educational courses, and a process for issuing
5 credentials to persons meeting the minimum qualifications for a quali-
6 fied mental health associate.

7 (1) A credentialed qualified mental health associate must meet the
8 following minimum qualifications:

9 (i) A high school diploma;

10 (ii)(A) An Associate or Bachelor's degree in a behavioral sciences
11 field; or

12 (B) A combination of at least three years relevant work, education,
13 training or experience; and

14 (iii) Demonstrate the competency necessary to:

15 (A) promote recovery and communicate effectively to service recipients
16 and professionals;

17 (B) understand mental health assessment, treatment and service termi-
18 nology;

19 (C) provide psychosocial skills development;

20 (D) implement interventions included in an individual treatment plan
21 of care;

22 (E) provide behavior management and case management duties; and

23 (F) provide support services related to crisis stabilization, medica-
24 tion management and health monitoring.

25 (2) The office shall establish procedures for the establishment of
26 appropriate fees, and to issue penalties, or suspend, revoke, or annul

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

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1 such credentials for cause any misconduct, other prohibited acts, or for
2 the unauthorized use of the title qualified mental health associate. The
3 commissioner shall also develop procedures for remedial action which may
4 be used at the discretion of the commissioner.

5 (3) The commissioner shall establish a credentialing board which shall
6 provide advice concerning the credentialing process under this subdivi-
7 sion. The commissioner appointments shall be representative of the
8 diverse mental health field, including but not limited to:

9 (i) consumers of mental health services or persons with lived experi-
10 ence;

11 (ii) individuals who represent underserved populations, including
12 urban and rural areas of the state; and

13 (iii) other credentialed and licensed mental health professionals.

14 (4) The commissioner shall promulgate rules and regulations for the
15 purpose of effectuating the provisions under this subdivision.

16 (5) Nothing in this section shall be interpreted to allow a qualified
17 mental health associate to act in a manner that would require a license,
18 registration, or certification pursuant to title eight of the education
19 law.

20 § 2. Section 7.03 of the mental hygiene law is amended by adding a new
21 subdivision 3 to read as follows:

22 3. "Qualified mental health associate" or "QMHA" means an official
23 designation identifying an individual as one who holds a registered and
24 valid credential issued by the office pursuant to section 7.07 of this
25 article which documents an individual's minimum qualifications to
26 provide services and supports to individuals with a mental illness.
27 Nothing in this subdivision shall be interpreted to allow a qualified
28 mental health associate to act in a manner that would require a license,
29 registration, or certification pursuant to title eight of the education
30 law.

31 § 3. This act shall take effect immediately.