STATE OF NEW YORK

5350--A

2023-2024 Regular Sessions

IN SENATE

March 2, 2023

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- recommitted to the Committee on Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law and the mental hygiene law, in relation to requiring training for teachers, administrators and instructors in the area of mental health response training

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

Section 1. Section 3004 of the education law is amended by adding two new subdivisions 7 and 8 to read as follows:

7. No later than twelve months after the effective date of this subdivision, the commissioner, in conjunction with the office of mental health, shall require the training of teachers, administrators, and instructors in the area of mental health response training. Such mental health response training shall include instruction in:

a. the recognition of the signs and symptoms of present or developing mental health crises or illnesses;

b. the awareness of and appropriate response to mental health crises including but not limited to attempted suicide or suicidal ideation, the threat or practice of self-harm or harm to others, substance use disorders, depression, anxiety and panic attacks, and other mental health crises or illnesses, in keeping with standards promulgated by the American Academy of Mental Health and as determined by the commissioner;

c. identifying and sharing information, as determined by the commissioner but which shall include but not be limited to, about mental health professionals, services and resources, the role of familial and social supports for the prevention, treatment, and recovery from mental illness, and the importance of diet, nutrition, exercise, and regular

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

LBD09669-07-4

socialization in the management of stress, anxiety, depression and addiction or other such mental health crises and illnesses.

8. Mental health response training shall not include training in the diagnosis, treatment, or counseling of students, peers, or members of the community. Nothing in this section shall be deemed to allow a person to provide any service for which a license, registration, certification or other authorization under title eight of the education law is required and which the person does not possess. The commissioner is authorized to promulgate rules and regulations necessary to establish such training pursuant to this section.

§ 2. 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 advise and assist the commissioner of education in developing a training curriculum for teachers, administrators, and instructors in the area of mental health response training as described in section three thousand four of the education law.

§ 3. This act shall take effect immediately.