STATE OF NEW YORK

7928

IN SENATE

January 3, 2024

Introduced by Sen. HOYLMAN-SIGAL -- 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 authorizing certain providers of services to administer and dispense methadone or other controlled substances

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

Section 1. Paragraphs 4 and 5 of subdivision (b) of section 32.09 of the mental hygiene law, as added by chapter 558 of the laws of 1999, are amended to read as follows:

4. the applicant is able to comply with all applicable state and federal laws; [~~and~~]

5. the applicant will establish procedures to effectively implement a detoxification program to further relieve addicts from dependence upon methadone or such other controlled substances prescribed for treatment in subject maintenance programs**; and**

6. the applicant has established, or taken concrete steps to establish, a community advisory board consisting of residents of the community served by such applicant to consider and advise the provider on matters concerning the development of any plans or programs of such provider.

§ 2. The opening paragraph of subdivision (c) of section 32.31 of the mental hygiene law, as amended by chapter 529 of the laws of 2004, is amended to read as follows:

The commissioner shall not approve a certificate of incorporation or articles of organization or application for establishment unless the provisions of subdivision (a) **and, in cases involving the administration and dispensing of methadone or other controlled substances, subdivision (b)** of section 32.09 of this article have been met and that the commissioner is satisfied, insofar as applicable, as to:

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.

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

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