STATE OF NEW YORK

8325

IN SENATE

January 18, 2024

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

AN ACT to amend the social services law, in relation to including services provided by certified recovery peer advocates and certain services provided at inpatient facilities as part of standard coverage

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

Section 1. Paragraph (c) of subdivision 2 of section 365-a of the social services law, as amended by section 12-a of part C of chapter 60 of the laws of 2014, is amended to read as follows:

(c) out-patient hospital or clinic services in facilities operated in compliance with applicable provisions of this chapter, the public health law, the mental hygiene law and other laws, including any provisions thereof requiring an operating certificate or license, including facilities authorized by the appropriate licensing authority to provide integrated mental health services, and/or [~~alcoholism and~~] substance [~~abuse~~] **use disorder** services, and/or physical health services, and/or services to persons with developmental disabilities, when such services are provided at a single location or service site, or where such facilities are not conveniently accessible, in any hospital located within the state and care and services in a day treatment program operated by the department of mental hygiene or by a voluntary agency under an agreement with such department in that part of a public institution operated and approved pursuant to law as an intermediate care facility for persons with developmental disabilities; and provided, that the commissioners of health, mental health, [~~alcoholism~~] **addiction services** and [~~substance abuse services~~] **supports** and the office for people with developmental disabilities may issue regulations, including emergency regulations promulgated prior to October first, two thousand fifteen that are required to facilitate the establishment of integrated services clinics. Any such regulations promulgated under this paragraph shall be described in the annual report required pursuant to section forty-five-c of part A of chapter fifty-six of the laws of two thousand thirteen**. Such services shall include those provided by certified recovery peer advo-**

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

LBD14026-01-4

cates when provided by programs certified, licensed or otherwise authorized by the office of addiction services and supports;

§ 2. Paragraph (n) of subdivision 2 of section 365-a of the social services law, as amended by chapter 558 of the laws of 1999, is relettered paragraph (n-1) and amended to read as follows:

(n-1) care, treatment, maintenance and rehabilitation services that would otherwise qualify for reimbursement pursuant to this chapter to persons suffering from [~~alcoholism in alcoholism facilities or chemical dependence~~] substance use disorder, as such term is defined in section 1.03 of the mental hygiene law, in inpatient [~~chemical dependence~~] facilities, services, or programs operated in compliance with applicable provisions of this chapter and the mental hygiene law, and certified by the office of [~~alcoholism~~] addiction services and [~~substance abuse services~~] supports, provided however that such services shall be limited to such periods of time as may be determined necessary in accordance with a utilization review procedure established by the commissioner of the office of [~~alcoholism~~] addiction services and [~~substance abuse services~~] supports and provided further, that this paragraph shall not apply to any hospital or part of a hospital as defined in section two thousand eight hundred one of the public health law. Such services shall include those provided by certified recovery peer advocates when provided by programs certified, licensed or otherwise authorized by the office of addiction services and supports.

§ 3. This act shall take effect immediately.