STATE OF NEW YORK

8525

IN SENATE

February 8, 2024

Introduced by Sen. KENNEDY -- 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 the issuance of operating certificates for certain providers of chemical dependence services

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

Section 1. Section 32.09 of the mental hygiene law is amended by adding a new subdivision (h) to read as follows:

(h) 1. Subject to paragraph two of this subdivision, an attestation from a program organized, operated or authorized by the federal government to operate as an Indian health service facility, with an addictions program, shall be recognized by the commissioner as sufficient evidence that the program meets the applicable standards for certification for purposes of issuing an operating certificate.

2. The attestation identified in paragraph one of this subdivision shall attest that:

(i) the program is authorized by the federal government to operate as an Indian health service facility, with an addictions program; and

(ii) the program will maintain compliance with all office of addiction services and supports:

(A) general facility requirements,

(B) patient rights requirements,

(C) standards for substance use disorder outpatient programs, and

(D) incident reporting and other relevant requirements.

3. Such program may be issued an operating certificate upon its submission of the attestation and a community engagement plan and evidence of active and ongoing community engagement at the facility location.

§ 2. This act shall take effect immediately.

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

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