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:

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

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

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

(i) A high school diploma;

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

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

(iii) Demonstrate the competency necessary to:

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

(B) understand mental health assessment, treatment and service terminology;

(C) provide psychosocial skills development;

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

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

(F) provide support services related to crisis stabilization, medication management and health monitoring.

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

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

(i) consumers of mental health services or persons with lived experience;

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

(iii) other credentialed and licensed mental health professionals.

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

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

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

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

§ 3. This act shall take effect immediately.