STATE OF NEW YORK

10275

IN ASSEMBLY

February 20, 2026

Introduced by M. of A. DILAN -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to employee mental health services

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

Section 1. The correction law is amended by adding a new section 30 to read as follows:

§ 30. Mental health assistance program. 1. The superintendent, in consultation with the commissioner of mental health, shall establish and make available a confidential mental health counseling program for all employees who work for the department and all employees of the office of mental health who deliver services to incarcerated individuals overseen by the department.

2. The provisions of subdivision (b) of section 9.46 of the mental hygiene law shall not apply to any employee receiving assistance pursuant to this section, unless the mental health professional counseling such employee determines, based on reasonable professional judgment, that the employee is likely to engage in conduct that would result in immediate and serious harm to self or others in which instance the mental health professional shall inform the division of criminal justice services and the superintendent as soon as practicable and provided, further, however, that the superintendent shall be prohibited from taking any punitive administrative action against any employee seeking mental health counseling under this section.

3. The counseling program established pursuant to this section shall be free of charge for employees and shall be confidential in nature except as otherwise prescribed in subdivision two of this section.

4. Any mental health professional who renders treatment to any employee eligible for mental health counseling under this section shall be prohibited from sharing any information about such employee's treatment except as otherwise prescribed by subdivision two of this section.

§ 2. This act shall take effect January 1, 2027.

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

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