

STATE OF NEW YORK

4807

2025-2026 Regular Sessions

IN ASSEMBLY

February 6, 2025

Introduced by M. of A. E. BROWN, ZINERMAN, GRAY, LEMONDES, DURSO, McDONOUGH, TAGUE, MIKULIN, MAHER, ANGELINO, DeSTEFANO, K. BROWN -- read once and referred to the Committee on Mental Health

AN ACT to amend the mental hygiene law, in relation to providing waivers of certain rules and regulations to promulgate collaboration by mental health providers

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

1 Section 1. Subdivision (a) of section 7.15 of the mental hygiene law,
2 as amended by section 3 of part I of chapter 58 of the laws of 2005, is
3 amended to read as follows:

4 (a) The commissioner shall plan, promote, establish, develop, coordi-
5 nate, evaluate, and conduct programs and services of prevention, diagno-
6 sis, examination, care, treatment, rehabilitation, training, and
7 research for the benefit of the mentally ill. Such programs shall
8 include but not be limited to in-patient, out-patient, partial hospital-
9 ization, day care, emergency, rehabilitative, and other appropriate
10 treatments and services provided, however, that the commissioner, in
11 conjunction with the commissioner of the office for people with develop-
12 mental disabilities, shall be authorized to waive rules and regulations
13 of the office of mental health and of the department of health, respec-
14 tively, to address barriers to collaboration by mental health providers
15 and providers of home care services under this section, including barriers
16 related to medical assistance reimbursement, service procedures,
17 care coordination and direct care worker training applicable to such
18 providers, provided further that regulations pertaining to patient safe-
19 ty may not be waived, nor shall any regulations be waived if such waiver
20 would risk patient safety. [~~He or she~~] The commissioner shall take all
21 actions that are necessary, desirable, or proper to implement the
22 purposes of this chapter and to carry out the purposes and objectives of
23 the department within the amounts made available therefor by appropri-

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

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1 ation, grant, gift, devise, bequest, or allocation from the mental
2 health services fund established under section ninety-seven-f of the
3 state finance law.

4 § 2. Subdivision (a) of section 13.15 of the mental hygiene law, as
5 amended by chapter 37 of the laws of 2011, is amended to read as
6 follows:

7 (a) The commissioner shall plan, promote, establish, develop, coordi-
8 nate, evaluate, and conduct programs and services of prevention, diagno-
9 sis, examination, care, treatment, rehabilitation, training, and
10 research for the benefit of individuals with developmental disabilities.
11 Such programs shall include but not be limited to in-patient, out-pa-
12 tient, partial hospitalization, day care, emergency, rehabilitative, and
13 other appropriate treatments and services provided, however, that the
14 commissioner, in conjunction with the commissioner of the office for
15 people with developmental disabilities, shall be authorized to waive
16 rules and regulations of the office of mental health and of the depart-
17 ment of health, respectively, to address barriers to collaboration by
18 mental health providers and providers of home care services under this
19 section, including barriers related to medical assistance reimbursement,
20 service procedures, care coordination and direct care worker training
21 applicable to such providers, provided further that regulations pertain-
22 ing to patient safety may not be waived, nor shall any regulations be
23 waived if such waiver would risk patient safety. [He] The commissioner
24 shall take all actions that are necessary, desirable, or proper to
25 implement the purposes of this chapter and to carry out the purposes and
26 objectives of the office within the amounts made available therefor by
27 appropriation, grant, gift, devise, bequest, or allocation from the
28 mental health services fund established under section ninety-seven-f of
29 the state finance law.

30 § 3. Subdivision (a) of section 19.15 of the mental hygiene law, as
31 amended by chapter 208 of the laws of 1996, is amended to read as
32 follows:

33 (a) With the advice of the advisory council on alcoholism and
34 substance abuse services, and with the assistance of any interdepart-
35 mental council or committee heretofore or hereafter established that
36 shall be charged with the responsibility for interdepartmental cooper-
37 ation and program development in alcoholism, substance abuse, and chemi-
38 cal dependency, the commissioner shall promote, establish, coordinate,
39 and conduct programs for prevention, diagnosis, treatment, aftercare,
40 rehabilitation, and control in the fields of alcoholism, alcohol abuse,
41 substance abuse, substance dependence, and chemical dependence in coop-
42 eration with such other federal, state, local, and private agencies as
43 are necessary and, within the amount made available by appropriation
44 therefor, implement and administer such programs provided, however, that
45 the commissioner, in conjunction with the commissioner of the office for
46 people with developmental disabilities, shall be authorized to waive
47 rules and regulations of the office of mental health and of the depart-
48 ment of health, respectively, to address barriers to collaboration by
49 mental health providers and providers of home care services under this
50 section, including barriers related to medical assistance reimbursement,
51 service procedures, care coordination and direct care worker training
52 applicable to such providers, provided further that regulations pertain-
53 ing to patient safety may not be waived, nor shall any regulations be
54 waived if such waiver would risk patient safety.

55 § 4. This act shall take effect immediately.