

STATE OF NEW YORK

10858

IN ASSEMBLY

April 8, 2026

Introduced by M. of A. SANTABARBARA -- read once and referred to the
Committee on Health

AN ACT to amend the public health law, in relation to establishing
procedures for the social admission of certain minors presenting to
emergency departments for mental or behavioral health evaluation when
a parent, legal guardian, or local social services district refuses to
retrieve the minor upon discharge

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

1 Section 1. The public health law is amended by adding a new section
2 2805-b-1 to read as follows:

3 § 2805-b-1. Social admission of minors. 1. As used in this section,
4 the term "hospital" shall include hospitals and general hospitals as
5 such terms are defined in subdivisions one and ten of section twenty-
6 eight hundred one of this article.

7 2. (a) A hospital shall admit a minor to an appropriate inpatient unit
8 under a social admission status when:

9 (i) such minor presents to a hospital emergency department or emergen-
10 cy crisis unit for evaluation of mental or behavioral health concerns;

11 (ii) such minor receives a comprehensive evaluation within no more
12 than twenty-four hours of their arrival at such hospital;

13 (iii) the psychiatric or crisis team evaluating such minor determines
14 that such minor does not meet clinical criteria for inpatient psychiat-
15 ric admission and is medically cleared for discharge; and

16 (iv) the parent or legal guardian of such minor or the local social
17 services district refuses or fails to retrieve such minor, effectively
18 abandoning such minor at the hospital.

19 (b) Admission of a minor under a social admission status pursuant to
20 this subdivision shall be for custodial and safety purposes and shall
21 not be based on psychiatric medical necessity.

22 3. Upon admitting a minor under a social admission status pursuant to
23 subdivision two of this section, the hospital admitting such minor shall
24 immediately notify the appropriate local social services district and/or
25 local child protective service and shall coordinate with the local child

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

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1 protective service to determine and secure a safe and appropriate place-
2 ment for such minor.

3 4. Assigned caseworkers shall review the cases of minors admitted
4 pursuant to subdivision two of this section on an ongoing basis to
5 ensure such minors do not remain under inpatient social admission status
6 at a hospital indefinitely.

7 5. Hospitals shall report quarterly to the local child protective
8 service, the office of children and family services, the department, and
9 all stakeholders, information on the number of social admissions made
10 pursuant to this section, the length of stay of minors admitted pursuant
11 to this section, and disposition outcomes of social admissions made
12 pursuant to this section, for the purpose of informing policy and
13 resource allocation.

14 § 2. This act shall take effect on the one hundred eightieth day after
15 it shall have become a law. Effective immediately, the department of
16 health and the office of children and family services are authorized to
17 promulgate any rules and regulations necessary for the timely implemen-
18 tation of this act on or before such effective date.