*** § 36.08 Integrated behavioral health services.**

(a) For the purpose of this section "integrated behavioral health services" means the systematic coordination of evidence-based health care services, to include the preventative, diagnostic, therapeutic and rehabilitative care and treatment of mental illness, addiction and the provision of physical health services, otherwise provided by a mental health program licensed pursuant to article thirty-one of this title, or addiction disorder services provided by a provider certified pursuant to article thirty-two of this title to any individual, including children and youth, seeking services regardless of their primary diagnosis; provided, however, that the scope of such services may be restricted pursuant to regulation.

(b) (i) The commissioners of the office of mental health and the office of addiction services and supports are authorized to jointly establish a single license and set of regulations, standards and requirements for the construction, operation, reporting and oversight of integrated behavioral health services. Such regulations, standards, and requirements shall include, but not be limited to:

(A) scope of integrated behavioral health services;

(B) a joint application review process for integrated behavioral health services;

(C) facilitation of integrated treatment records that comply with applicable federal and state confidentiality requirements;

(D) staffing standards and qualifications for integrated behavioral health services consistent with applicable scope of practice requirements under title eight of the education law;

(E) development of billing and reimbursement structures to enable the provision of integrated behavioral health services to individuals regardless of their primary diagnosis or healthcare complaint, provided however, that reimbursement for integrated behavioral health services shall not be less than the applicable reimbursement pursuant to the ambulatory patient group methodology for the same or similar services when provided by a program licensed pursuant to article thirty-one or certified pursuant to article thirty-two of this title;

(F) physical plant standards;

(G) standards for incident reporting and remediation pursuant to article eleven of the social services law;

(H) patient protections and related safeguards including:

(1) patient rights;

(2) mandatory reporting of child abuse and maltreatment;

(3) reporting of crimes alleged to have occurred against patients;

(4) consent to treatment;

(5) confidentiality of, access to, and sealing of treatment records;

(6) incident notification to parents or guardians of patients; and

(7) any additional standards deemed necessary by the commissioners to ensure the rights and safety of patients are met;

(I) corporate structure and governance;

(J) the suspension, revocation, or limitation of a license issued pursuant to this section; and

(K) utilization review.

(ii) The regulations, standards and requirements for integrated behavioral health services shall, to the extent possible, be in accordance with standards required under article nineteen, twenty-two, thirty-one, thirty-two, and thirty-three of this chapter which would otherwise apply to patients in facilities operated, licensed, or certified as applicable. The commissioners shall be authorized to resolve inconsistencies or conflicts among such regulations, standards, or requirements by regulation.

(c) No provider shall be licensed to provide integrated behavioral health services unless they have sufficiently demonstrated, consistent with the standards and requirements set forth by the commissioners, experience in the delivery of mental health and addiction services.

* NB Effective on the date that the rates of reimbursement for integrated behavioral health services are approved and certified by parties set forth in chapter 60 of 2026 § 8