§ 2803-u. Hospital substance use disorder policies and procedures. 1. The office of alcoholism and substance abuse services, in consultation with the department, shall develop or utilize existing educational materials to be provided to general hospitals to disseminate to individuals with a documented substance use disorder or who appear to have or be at risk for a substance use disorder during discharge planning pursuant to section twenty-eight hundred three-i of this article. Such materials shall include information regarding the various types of treatment and recovery services, including but not limited to: inpatient, outpatient, and medication-assisted treatment; how to recognize the need for treatment services; information for individuals to determine what type and level of treatment is most appropriate and what resources are available to them; and any other information the commissioner deems appropriate. General hospitals shall include in their policies and procedures treatment protocols, consistent with medical standards, to be utilized by the emergency departments in general hospitals for the appropriate use of medication-assisted treatment, including buprenorphine, prior to discharge, or referral protocols for evaluation of medication-assisted treatment when initiation in an emergency department of a general hospital is not feasible.

2. Every general hospital shall: (a) within existing or in addition to current policies and procedures, develop, maintain and disseminate, written policies and procedures, for the identification, assessment and referral of individuals with a documented substance use disorder or who appear to have or be at risk for a substance use disorder as defined in section 1.03 of the mental hygiene law;

(b) establish and implement training, within existing or in addition to current training programs, for all individuals licensed or certified pursuant to title eight of the education law who provide direct patient care regarding the policies and procedures established pursuant to this section; and

(c) except where an individual has come into the hospital under section 22.09 of the mental hygiene law, if the hospital does not directly provide substance use disorder services, then it shall refer individuals in need of substance use disorder services to and coordinate with substance use disorder services programs that provide behavioral

health services, as defined in section 1.03 of the mental hygiene law.

3. Upon commencement of treatment, admission, or discharge of an individual with a documented substance use disorder or who appears to have or be at risk for a substance use disorder, including discharge from the emergency department, such hospital shall inform the individual of the availability of the substance use disorder treatment services that may be available to them through a substance use disorder services program.

4. The commissioner, in consultation with the commissioner of the office of alcoholism and substance abuse services, shall make regulations as may be necessary and proper to carry out the provisions of this section.