§ 364-a. Cooperation of state departments. 1. There shall be such cooperative arrangements, between and among the department of health and other state departments and agencies as shall be necessary to assure that the purposes and objectives of this title will be effectively accomplished. The commissioner of the department of health shall have the authority to delegate responsibility under this title to other state departments and agencies and to enter into memoranda of understanding as may be necessary to carry out the provisions of this title.

2. Notwithstanding any inconsistent provision of law, the department of health shall enter into a cooperative agreement with the office of mental health which shall;

(i) provide for the office of mental health, on or after the date of the agreement, to administer and supervise the medical care, health care, habilitative, rehabilitative and maintenance services provided pursuant to this title at residential treatment facilities for children and youth licensed by the office of mental health pursuant to article thirty-one of the mental hygiene law, and

(ii) authorize the office of mental health to perform such administration and supervision, either directly or by contract, as the office of mental health may from time-to-time determine. On or after the effective date of such agreement, all of the functions provided for in this title for the administration and supervision of medical care, health care, habilitative, rehabilitative and maintenance services provided hereunder by residential treatment facilities for children and youth licensed by the office of mental health pursuant to article thirty-one of the mental hygiene law shall be performed by the office of mental health to the extent permitted by applicable federal law and to the extent that federal reimbursement for such care and services is not impaired. A cooperative agreement previously entered into by the department of social services pursuant to this subdivision shall continue in effect until modified or terminated by the department of health.

* 3. Notwithstanding any inconsistent provision of law, the department of health shall enter into a cooperative agreement with the office of mental health which shall:

(i) provide for the office of mental health, on or after the date of

the agreement, to administer and supervise the medical care, health care, habilitative, rehabilitative and maintenance services provided pursuant to this title at comprehensive psychiatric emergency programs licensed by the office of mental health pursuant to article thirty-one of the mental hygiene law, and

(ii) authorize the office of mental health to perform such administration and supervision, either directly or by contract, as the office of mental health may determine to be necessary. On or after the effective date of such agreement, all of the functions provided for in this title for the administration and supervision of medical care, health care, habilitative, rehabilitative and maintenance services provided at comprehensive psychiatric emergency programs licensed by the office of mental health pursuant to article thirty-one of the mental hygiene law shall be performed by the office of mental health to the extent permitted by federal law and to the extent that federal reimbursement for such care and services is not impaired. A cooperative agreement previously entered into by the department of social services pursuant to this subdivision shall continue in effect until modified or terminated by the department of health.

* NB Repealed July 1, 2027