



Memorandum in SUPPORT of Bill

THIS MEMORANDUM IS IN RESPONSE TO SEVERAL INQUIRIES BY MEMBERS OF THE LEGISLATURE REQUESTING OUR OPINION OF THIS BILL.

A. 08477

TITLE OF BILL: AN ACT TO AMEND THE MENTAL HYGIENE LAW AND THE SOCIAL SERVICES LAW, IN RELATION TO ENACTING THE ASSISTED OUTPATIENT TREATMENT ACT AND AUTHORIZAING COURT ORDERS TO REQUIRE MENTALLY ILL OUTPATIENTS TO COMPLY WITH PRESCRIBED TREATMENT, AND EXPANDING MEDICAL ASSISTANCE PRESUMPTIVE ELIGIBILITY: AND PROVIDING FOR THE REPEAL OF CERTAIN PROVISIONS UPON EXPIRATION THEREOF

UNDER KENDRA'S LAW, TREATMENT WOULD BE REQUIRED BY COURT ORDER FOR INDIVIDUALS WHO HAVE A SERIOUS MENTAL ILLNESS AND HAVE A HISTORY OF VIOLENCE OR REPEATED HOSPITALIZATIONS. IF AN INDIVIDUAL DOES NOT COMPLY WITH TREATMENT, THE INDIVIDUAL CAN BE BROUGHT TO A HOSPITAL FOR EVALUATION BY ANY OF THE FOLLOWING PEACE OFFICERS, POLICE OFFICERS SHERIFF'S AMBULANCE SERVICE OR AN APPROVED MOBILE CRISIS OUTREACH TEAM. IT IS IMPORTANT TO NOTE THAT IT IS NOT JUST POLICE OFFICERS WHO ARE DESIGNATED FOR THIS FUNCTION.

CURRENTLY POLICE ARE REQUIRED TO TRANSPORT MENTALLY ILL INDIVIDUALS TO HOSPITALS WHEN THEY BECOME IMMINENTLY DANGEROUS. KENDRA'S LAW WILL ALLEVIATE THE BURDEN ON POLICE POSED BY THE CURRENT LAW IN THE FOLLOWING WAYS:

1. POLICE WILL BE TRANSPORTING PATIENTS WHO ARE LESS DANGEROUS-- INDIVIDUALS WILL BE TRANSPORTED TO THE HOSPITAL BEFORE THEY BECOME DANGEROUS.
2. THE NEED FOR POLICE TO TRANSPORT PATIENTS WILL BE REDUCED-- STUDIES SHOW THAT ASSISTED OUTPATIENT TREATMENT REDUCES THE FREQUENCY OF HOSPITALIZATIONS;
3. THE NUMBER OF PATIENTS TRANSPORTED BY POLICE WILL NOT INCREASE-- NONE OF THE INDIVIDUALS IN THE BELLEVUE ASSISTED OUTPATIENT PILOT TREATMENT PROGRAM WERE EVER TRANSPORTED BY LAW ENFORCEMENT OFFICERS: AND
4. THE NUMBER OF MENTALLY ILL IN JAILS WILL BE REDUCED-- INDIVIDUALS WILL BE TREATED IN THE COMMUNITY TO PREVENT THEM FROM BECOMING DANGEROUS AND IN NEED OF INCARCERATION.

THE NEW YORK STATE ASSOCIATION OF CHIEFS OF POLICE WHOSE MEMBERSHIP CONSISTS OF MORE THAN 900 CHIEFS OF POLICE AND OTHER TOP LAW ENFORCEMENT OFFICIALS SUPPORTS THIS LEGISLATION.