



NEW YORK STATE SENATOR

Pete Harckham

## Governor Cuomo Signs “Stephen’s Law,” a Lifesaving Authorization Sponsored by Harckham and McDonald

PETE HARCKHAM November 12, 2020

| ISSUE: **ALCOHOLISM AND SUBSTANCE ABUSE, SUBSTANCE ABUSE TREATMENT, STEPHEN'S LAW**



*Albany, NY* – Legislation known as “Stephen’s Law,” sponsored by New York State Senator Pete Harckham and Assemblymember John T. McDonald III, has been signed into law by Governor Andrew M. Cuomo.

The new law (S.4741B / A.9536), named in memory of Stephen Canastraro, Jr., requires that certified drug treatment programs notify patients of their rights to identify trusted

individuals who should be contacted in case of emergency. Also, treatment providers must give people in programs an opportunity to establish what information can be shared with their contacts and what classifies as an emergency or need for contacting family members and friends.

“Stephen’s Law will ensure that residents with Substance Use Disorder (SUD) have supportive family members, friends or guardians on hand when help is required,” said Harckham, who introduced the bill. “No life should be lost because of the lack of a line of communication, and this makes it easier for important health-related information be shared on a timely basis. I am pleased the law has been signed, and thank Governor Cuomo for backing this lifesaving mandate.”

“Thank you to Governor Cuomo for signing Stephen’s Law,” said McDonald. “Passage of this bill is another step forward in the fight against the opioid epidemic. It is a critical measure that will help assist patients in treatment and recovery to prevent more deaths like Stephen’s.”

The new law will require New York State’s Office of Addiction Services and Supports (OASAS) to develop guidelines for protocols to be used by treatment programs in communicating with a patient's trusted support system.

On the morning of August 24, 2018, Angela Robertson, Canastraro’s mother, went to wake him, only to find him cold and unresponsive. Later, it was determined that he had died of an overdose after testing positive for fentanyl and leaving treatment against the recommendation of his treatment provider.

In the days prior to his death, Canastraro demonstrated warning signs of relapse to his health providers, including missed appointments and drug use. But under the laws at the

time, health providers were not required to inform authorized guardians of the relapse signs, and neither Canastraro's mother nor Save the Michaels of the World, his recovery assistance organization, were notified of his missed appointments or positive drug screens in the days before Stephen's death.

Stephanie Marquesano, founder and president of The Harris Project, said, "Providing an opportunity for those seeking treatment for substance misuse and / or addiction to identify support delegates, as framed in Stephen's Law, highlights the importance of connection in recovery. It creates a valuable individualized, person-centered safety net. My 19-year-old son Harris had co-occurring disorders and died by accidental overdose in 2013. My husband and I were actually discouraged from flying to Florida to support our son in his time of need. I am gratified by the steps our New York State legislators, agencies and providers are taking to offer this protection."

Susan Salamone, co-founder and executive director of Drug Crisis in Our Backyard, added, "Thank you to Senator Harckham, Assemblymember McDonald, and Governor Cuomo for making Stephen's Law a reality. Too many have left treatment, relapsed, and in some cases died of overdose. I am sure this law will have a positive impact on the number of people we can help."

Avi Israel, president and founder of Save the Michaels of the World, said, "Senator Harckham and Assemblymember McDonald are unique legislators—both understand the needs of our state and our community, and both listen to people. They know the struggle and pain of one in five homes in the country. Their compassion, understanding and knowledge of the hardships that families go through is special."

Angela Robertson said, “Senator Pete Harckham and Assemblymember McDonald are the epitome of kindness, compassion and action. They understand the obstacles of people suffering with SUD and mental health face. I am humbled and grateful to know the two of them, and appreciate their determination to continue to fight for the community.”

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#### RELATED LEGISLATION

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### 2019-S4741B

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Enacts "Stephen's law"; requires certified treatment programs to notify patients of their right to name an emergency contact

March 22, 2019

Signed by Governor

Sponsored by **Pete Harckham**

Do you support this bill?