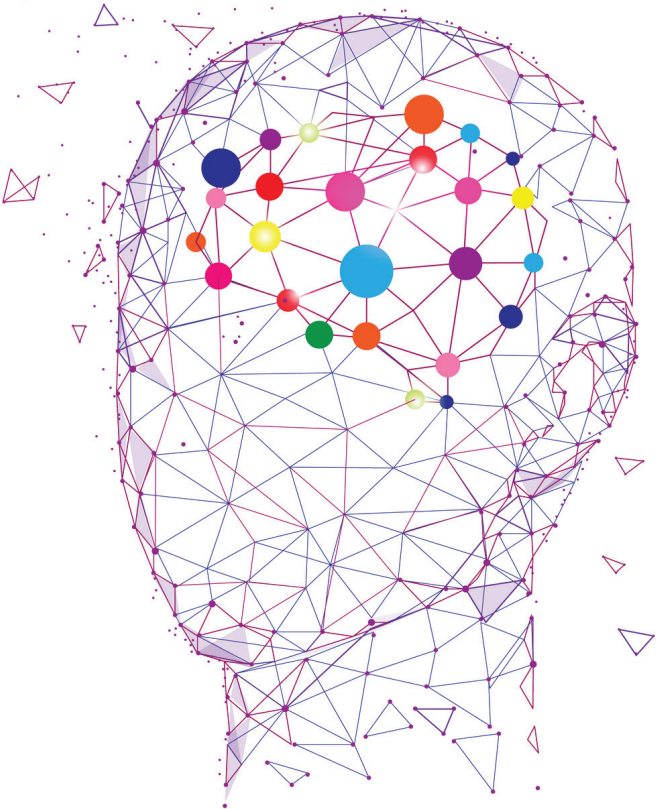

SENATE STANDING COMMITTEE ON MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

2019 New York State Senate Legislative Report on Mental Health and Developmental Disabilities



Senator David Carlucci
Chairman



**A legislative report describing the legislative activities of the
Senate Standing Committee on
Mental Health and Developmental Disabilities for the year 2019.**

THE SENATE
STATE OF NEW YORK



DAVID CARLUCCI
SENATOR, 38TH DISTRICT

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Mental Health and Developmental Disabilities

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December 20, 2019
Honorable Andrea Stewart-Cousins
Senate Majority Leader and Temporary President
New York State Capitol Building, Room 330
Albany, NY 12247

Dear Majority Leader Stewart-Cousins,

It is with great pleasure that I submit to you the 2019 Annual Report of the New York State Senate Committee on Mental Health and Developmental Disabilities. I would like to convey to you my sincere appreciation for the privilege of being appointed Chairman of the Mental Health and Developmental Disabilities Committee.

As you know, the issue areas of mental health and developmental disabilities can be both challenging and rewarding. During the year, I conducted meetings with many advocates expressing appreciation for what the Senate Majority has done to further the discussion of quality care for those who are members of this vulnerable population. I have been saddened by public stories of abuse and neglect at various group homes, and I have worked to make these environments non-abusive by sponsoring legislation to hold those accountable for this mistreatment. I have been a champion for the non-profit agencies who have seen their budgets stagnate, and I have fought for increased wages and better working environments for direct service providers. Public housing issues are numerous within the mental hygiene community, and I have sponsored legislation urging the Governor to do more when considering budget allocations for additional housing.

I would like to thank the members of the Committee for their engagement and sincere efforts throughout the year. The dedicated effort of Ranking Minority Member, Senator George Amedore should be noted as well.

Enclosed, please find the 2019 report, summarizing the accomplishments and events of the Senate Standing Committee on Mental Health and Developmental Disabilities.

Sincerely,

A handwritten signature in black ink, appearing to read "David Carlucci".

David Carlucci
New York State Senator
38th District



**New York State Senate
Standing Committee
On
Mental Health and Developmental
Disabilities**

Senator David Carlucci, Chairman
Senator George Amedore, Ranking Member

Committee Members

Senator John E. Brooks
Senator Gustavo Rivera
Senator Robert G. Ort

Senator Anna M. Kaplan
Senator Luis Sepulveda

Staff

John Koury, Committee Director
Dan Leinung, Senior Counsel
Brian Coffin, Legislative Director
Alex George, Senate Fellow

Mental Health and Developmental Disabilities Legislation
Enacted Into Law 2019

Bill Number	Sponsor	Summary	Chapter Number
S2403	Carlucci	2019 Suicide Prevention Act, relates to reviewing suicide prevention programs periodically	<i>Chapter 630</i>
S4276	Skoufis	Makes technical corrections to references to the office for people with developmental disabilities	<i>Chapter 672</i>
S4925	Parker	Renames and broadens the geriatric service demonstration program to include older adults with mental health disabilities and substance use disorder	<i>Chapter 328</i>
S5347	Carlucci	Makes available information regarding the process for individuals to obtain eligibility for services offered by the office for people with developmental disabilities	<i>Chapter 542</i>
S5121	Carlucci	Relates to notices be posted in programs licensed, certified or operated, by the office of mental health	<i>Chapter 535</i>

Mental Health and Developmental Disabilities Legislation
Vetoed in 2019

Bill Number	Sponsor	Summary	Veto Number
S2070	Metzger	Creates the rural suicide prevention council	<i>Veto #210</i>
S4467	Carlucci	Establishes a Black youth suicide prevention task force	<i>Veto #199</i>
S5315	Carlucci	Relates to the suspension of service of state-operated individualized residential alternatives	<i>Veto #223</i>
S5637	Carlucci	Establishes a temporary commission relating to the office of mental health housing programs	<i>Veto #185</i>

Committee Speakers

Glenn Liebman, Executive Director for the Mental Health Association of New York State

The Mental Health Association in New York State, Inc. (MHANYS) is an agency of support, education and advocacy for mental health issues, and has been for over fifty years. As part of its mission, MHANYS advocates for change in the mental health system ensuring access for all New Yorkers, fights stigma through community-based partnership programming, and provides information on mental health issues and services.

Mr. Liebman addressed the Committee speaking about Mental Health First Aid, the merits of School-based (K-12) Mental Health Education, the success of Crisis Intervention Teams, and the proven accomplishments of the Joseph P. Dwyer Veterans Mental Health initiative.

MHANYS has led advocacy efforts in NYS resulting in such laws as the Mental Health Awareness Tax Checkoff, which raises funds to end discrimination against mental illness, and Timothy's Law, which mandates mental health parity. These laws are part of a long, full, and varied history of advocacy, organizing, and grassroots efforts that improved the lives of all New Yorkers.

Michael Lindsey, PhD, MSW, MPH, Executive Director for the McSilver Institute for Poverty Policy and Research and Constance and Martin Professor of Poverty Studies at NYU School of Social Work

Michael Lindsey is Executive Director of NYU Silver's McSilver Institute for Poverty Policy Research and is the School's Constance and Martin Silver Professor of Poverty Studies. A child and adolescent mental health services researcher, Dr. Lindsey is particularly interested in the prohibitive factors that lead to unmet mental health need among vulnerable youth with serious psychiatric illnesses, including depression and suicide. He has received research support from the National Institute of Mental Health (NIMH) to examine the social network influences on perceptual and actual barriers to mental health care among Black adolescent males with depression. He also received NIMH funding to develop and test a treatment engagement intervention that promotes access to and use of mental health services among depressed adolescents in school- and community-based treatment.

Dr. Lindsey addressed the Committee speaking of a recent study by epidemiologist Jeff Bridge that showed that black youth suicides have doubled between the years 1993 and 2011 for those in the 5-11 age group. Black adolescent rates of suicide attempts have increased while other racial/ethnic groups have seen a decline in these behaviors.

Hana Zalvan, Eating Disorder Advocate

Ms. Zalvan is an eating disorder advocate, and a person recovering from an eating disorder. She is a remarkable young woman, who is a senior at Briarcliff High School.

Ms. Zalvan addressed the Committee speaking of her own struggles suffering with an eating disorder. Ms. Zalvan stated that one-in-eight people have an eating disorder, translating to over 500,000 children in New York State suffering with some type of eating disorder, yet only 50,000 of them will get treatment. She believes that pediatricians should annually screen for eating disorders just as they would for ailments of sight and hearing. Further, a standardized curriculum should be developed and taught to students in a way that is sensitive and non-triggering. Finally, New York State should launch an eating disorder awareness campaign to promote awareness of the lesser-known eating disorder diagnoses.

Public Hearings

Suicide and Suicide Prevention: June 4, 2019

The New York State Senate Majority Standing Committees on Mental Health and Developmental Disabilities and Health held a public hearing on suicide and suicide prevention on June 4, 2019, in Albany, NY. The public hearing took place at the Legislative Office Building, Hearing Room A. For a copy of the Committees' report regarding this public hearing, please visit the Mental Health and Developmental Disabilities committee page at Nysenate.gov.

As a society, we are truly in crisis. More and more people are choosing suicide as a way to cope with depression, stress and grief. After an extensive review, discussions at committee meetings, and a calculation of the current statistics concerning the suicide crisis, the Senate Standing Committees on Mental Health and Developmental Disabilities and Health felt compelled to hold a public hearing to accept comment on the causes of suicide and methods to prevent further suicides.

Nationwide, 188 police officers have committed suicide in 2019 (including 25 retired officers) according to Blue Help.ⁱ Twelve NYPD officers have committed suicide in 2019 (including two retired officers), causing the department to declare a mental health emergency.ⁱⁱ Many are familiar with the reports of college students committing suicide by jumping from tall buildings or gorges. Reports are now public concerning the crisis of Black youths committing suicide. Groups including Latinas, LGBT people, white middle-aged men, Asian immigrants, and the elderly are experiencing devastating record high numbers of committing suicide.ⁱⁱⁱ

Suicide is the 12th leading cause of death in New York.^{iv} This year alone, three people have committed suicide by jumping to their deaths from the Verrazano Narrows Bridge in New York City. These tragedies raised calls for building a suicide-prevention barrier along the bridge, similar to the barrier going up along the Golden Gate Bridge in San Francisco, CA.^v On average, one-person dies by suicide every five hours in New York State.^{vi}

According to the American Foundation for Suicide Prevention, suicide is the second leading cause of death for ages 15-34, the 4th leading cause of death for ages 35-54, the 9th for ages 55-64, and the 18th for ages 65 and up, in New York State.^{vii} New research by the National Institute of Mental Health has shown that the suicide rate is roughly two times higher for black children ages 5-12 as compared with white children of the same age.^{viii}

Suicide, suicidal ideation, and the effects of suicide do not discriminate. The aftershocks are dark, extensive, and painful to bear. The testimony presented at the hearing shined a bright light on the darkness of suicide and the senators walked away with a deeper understanding of this matter and suggestions of where future policy must go.

We are combating this isolating and preventable experience first by coming together. Many in attendance believed the hearing was a success as they were able to learn a great deal about suicide and suicide prevention while also making new contacts that they hope to collaborate with in the future. The New York State Senate looks forward to joining you in this collaboration as we transition into the next legislative session.

As a result, many have begun to question why so many individuals from all walks of society, ethnicity, gender, and age groups committing suicide. The report will discuss the current crisis and evidence-based methods proving results in preventing suicide. A common theme observed in this testimony is ending the stigma of suicide. Advocates believe breaking down the barrier of stigma associated with suicide and suicide ideation is vital to address this crisis.

Archived testimony and the webcast of the hearing can be found at www.nysenate.gov on the Health and Mental Health and Developmental Disabilities committee pages.

ⁱ <https://bluehelp.org/>

ⁱⁱ <https://newyork.cbslocal.com/2019/10/16/nypd-suicide-off-duty-sergeant/>

ⁱⁱⁱ <https://afsp.org/about-suicide/suicide-statistics/>

^{iv} <http://chapterland.org/wp-content/uploads/sites/13/2018/06/New-York-State-Facts.pdf>

^{vi} <https://www.silive.com/news/2019/06/man-jumps-from-verrazzano-narrows-bridge-on-saturday-night-3rd-incident-in-a-month.html>

^{vii} <http://chapterland.org/wp-content/uploads/sites/13/2018/06/New-York-State-Facts.pdf>

^{viii} <http://chapterland.org/wp-content/uploads/sites/13/2018/06/New-York-State-Facts.pdf>

Opioid Task Force (*Associated Mental Hygiene Issues*): Eight Hearings/Round Tables from July to December 2019

Senators David Carlucci, Gustavo Rivera, and Pete Harckham, Co-Chairs of the New York State Joint Senate Task Force on Opioids, Addiction and Overdose Prevention, held public hearings throughout the state in 2019 to examine current approaches and consider new strategies for how New York responds to drug use and to the epidemic of overdoses and deaths caused each year by the problematic use of drugs. The hearings provided an opportunity for the Task Force and the public to hear from stakeholders.

Separately, drug use results in a host of other consequences for those who currently use or formerly used drugs and their families, including mental health issues, worse health, increased involvement in the criminal justice system and the child welfare system, increases in homelessness, and greater barriers to employment.

According to the NYS Department of Health, 2,170 New Yorkers from outside New York City died in 2017 as a result of opioids. This was an increase of 134 deaths (or 6.6%) from 2016. Meanwhile, the NYC Department of Health and Mental Hygiene reported that 1,482 New York City residents died of an overdose in 2017, an increase of 69 (or 4.9%) from 2016.

Both the State and many localities have taken numerous steps to reduce the number of deaths, including increasing the availability of substance use disorder (SUD) treatment, expanding access to Naloxone, providing funding for SUD treatment in jails, establishing 24/7 drop-off centers (and other law enforcement diversion opportunities) for individuals in need of help, requiring hospitals to establish policies aimed at increasing access to medication assisted treatment, removing barriers to insurance coverage, and mandating changes to prescribing practices.

For a full copy of the Opioids, Addiction and Overdose Prevention report, please visit the New York State Senate's main page at Nysenate.gov.

Eating Disorders: October 28, 2019

On October 28, 2019, Senator David Carlucci and the Senate Standing Committee on Mental Health and Developmental Disabilities hosted a public hearing on the topic of eating disorders, treatment, and recovery. There, medical professionals, advocates, and survivors had the opportunity to provide testimony on their experiences and recommend ways that New York State can improve the state of affairs for those suffering from these disorders. The experience and expertise conveyed through the testimonies provided are invaluable to the efforts of the committee and its work to reduce the impact that eating disorders have on individuals across our state.

The impact of eating disorders is not limited to any one group or demographic; the condition can, and does, afflict every segment of our population. The testimony provided at the hearing outlined this reality and unveiled how intrusive these disorders are on those impacted, while proposing actionable steps to improve the current realities surrounding them. As a result, Senator Carlucci will approach the 2020 New York State Legislative Session equipped with the knowledge necessary to elicit positive change.

A recurring theme among testimonies presented at this hearing was the necessity of early detection and prevention. Chevese Turner of the National Eating Disorders Association conveyed the tendency for these disorders often go unrecognized or undiagnosed until the physical health of an individual is compromised, at which point the damage may be irreversible. Monowara Begum of the West Hudson Psychiatric Society asserted that early diagnosis, treatment, and management would reduce suffering and mortality from eating disorders. Hana Zalvan and Charlotte Turner, who are eating disorder advocates and survivors, added that

stigma and lack of education prevents individuals from seeking help in the early development of their disorders.

Archived testimony and the webcast of the hearing can be found at www.nysenate.gov on the Mental Health and Developmental Disabilities committee page.

Veterans Mental Health: November 6, 2019

Senator David Carlucci and the New York State Senate Committee on Mental Health and Developmental Disabilities held a public hearing on Veterans' Mental Health and Well-being at the Clarkstown Town Hall in New City, New York. Senators Thomas O'Mara and Joseph Addabbo joined Senator Carlucci on the hearing dais.

The hearing gathered testimony from experts in the mental hygiene field, those who work with veterans every day, and veterans who are dealing with mental health challenges. The hearing will help the mental Health Committee to establish and propose comprehensive legislation to provide veterans with improved mental health treatment, ways to eliminate stigma, and increase access to care.

Senator Carlucci believes that we have a silent crisis among our veterans, noting that, on average, we lose 20 veterans a day to suicide. PTSD plays a contributing factor regarding veteran suicide. The Senate Majority has increased funding to the Joseph P. Dwyer veterans program to address veteran suicide and PTSD. Senator Carlucci believes that we must do more to tailor our suicide prevention methods for veterans.

OPWDD Transition to Managed Care

(scheduled for December 2, 2019, canceled due to weather, rescheduling in 2020)

Roundtable Discussions

Post Traumatic Stress Disorder (PTSD): January 2019

As the newly appointed Chair of the New York State Senate's Mental Health and Developmental Disabilities Committee, Senator Carlucci wanted to hit the ground running to both tackle and discuss PTSD. The senator held a round table discussion in January to shed light on this often-untreated disorder.

Many do not realize PTSD affects 44.7 million people, and it is more common among women. About one-in-nine women suffer from PTSD, making them twice as likely as men to suffer from PTSD. More alarming is the impact PTSD is having on our veterans, the men and women who protect our country from harm every day. According to the Department of Veteran's Affairs, twenty veterans take their own life every day due to this devastating disease.

Many often think of PTSD as only being related to men and women who enter war, but this disorder can affect anyone who has suffered a traumatic episode. PTSD can greatly affect victims of sexual assault, domestic violence, and human trafficking. For example, statistics show that every 9 seconds a woman is assaulted or beaten.

PTSD can also affect law enforcement who sometimes encounter recurring PTSD episodes on a daily basis, professionally known as cumulative PTSD. Unlike one recurring event, it can build up from a series of events throughout an officer's career. Due to its nature, cumulative PTSD is less likely to receive treatment.

The challenge we face is that people with PTSD present with a range of symptoms, the cause of which may be overlooked or misdiagnosed. Experts like those who participated in the PTSD forum, who treat PTSD, organize programs to help those inflicted and refer people suffering from PTSD, are critical components in the fight to treat PTSD.

Senator Carlucci's hope is that the roundtable discussion, along with a report, will help the Committee to come up with ideas for legislation and services to better help our communities. For a copy of Senator Carlucci's PTSD report, please contact Committee Director, John Koury at 518-455-7992 or at jkoury@nysenate.gov.

Examining the State of Our Youth-NYS Foster Care System: Four Round Tables from June to October 2019

Senators' David Carlucci, Velmanette Montgomery and Roxanne Persaud held a series of round tables throughout the state, discussing foster care youth, the foster care system and the mental health needs of those in foster care. The round tables highlighted New York State mental health services, residential housing, reunification planning, permanency in housing, homelessness of former foster care youth, Family First Prevention Services Act, LGBTQ youth in foster care, school stability and education in care, youth aging out concerns, connecting foster care to Home and Community Based Services (HCBS), and children and family treatment and support services (CFTSS). The senators' also discussed direct service providers compensation, high turnover rates, shortage of workers, and a shortage of qualified professionals.

Domestic Violence (associated Mental Hygiene issues): October 11, 2019

Domestic Violence is an on-going concern for communities across the nation and in the 38th Senate District. It is important that we take the time to study this issue and the mental health effects that domestic violence has on its victims and the communities that they reside in.

Those in attendance at the round table suggested that a domestic violence curriculum should be required to be taught in public schools regarding domestic violence, and that it could be part of a Mental Health First Aid class. Additionally, more funding is needed to support the mental health of those who help survivors with trauma, and survivors themselves.

Family intervention programs should be considered, a holistic program that helps to provide case management, trauma services, and support for children who have witnessed or experienced domestic violence. Society needs to ensure that children are removed from the abuser's environment to prevent abusive behaviors from continuing and imparting on the children. Legislation should be considered to streamline the removal of the abuser.

Another recommendation from the round table is that school staff needs to have the same training as law enforcement and judges concerning domestic violence because they need to be able to notice the signs of domestic violence. Schools should consider increased educational opportunities about safe and positive relationships.

Regarding the court system, trauma informed training for judges, and for visitation supervisors should be implemented. Domestic violence training for judges is a key component; not just about the hitting and physical abuse, but about the emotional aspect of domestic violence.

Finally, more funding for prevention should be included in the state budget. It was suggested that prevention efforts could take the form of youth educators inform a child early in life to

recognize domestic abuse and what to do about it. For example, educate children in elementary schools and on college campuses, later in life.

High Functioning Autism Spectrum Disorder K-12 Students: December 18, 2019

Parent advocates conducted meetings with Senator Carlucci and the Committee discussing the need for additional programs to serve the needs of children living with High Functioning Autism Spectrum Disorder in the K-12 educational setting. As a result, Senator Carlucci called for a meeting with representatives from local school districts in the Rockland and Westchester County areas. The meeting was a great success serving as a kick-off to further meetings and the drafting of legislation to solve the problem.

The meeting discussed what programs are currently available to High Functioning Autism Spectrum Disorder students within each school district; within such programs what are the services, therapies or other programs that support the High Functioning Autism Spectrum Disorder student population; what programs are currently funded, underfunded or eliminated; what, if any, are the current Autism-specific professional training opportunities being offered to the teachers, staff, and other professionals who educate and otherwise interact with High Functioning Autism Spectrum Disorder individuals, and what are the barriers to providing these types of professional training; what changes to the State Education Department Foundation Aid Formula would benefit the school districts as it relates to funding for High Functioning Autism Spectrum Disorder students; what are some of the challenges to the districts as they relate to identification and subsequent support for High Functioning Autism Spectrum Disorder students; what evidence-based models are the districts researching or implementing to support inclusion of High Functioning Autism Spectrum Disorder students within in the mainstream schools or other specialized programs, and what are some of the challenges.

In recent years' we have made progress in identifying and supporting Autistic individuals within our community but there is more work to be done. The purpose of this meeting was to further understand the current educational climate for High Functioning Autism Spectrum Disorder students and to discuss opportunities for program enhancement and continued success. Senator Carlucci looks forward to furthering this discussion in 2020.

Special Projects

Mental Health Fair at Rockland Community College:

On Saturday, May 18, 2019, Senator Carlucci hosted a Mental Health Fair at Rockland Community College in honor of Mental Health Awareness Month. Twenty-two mental health and health organizations from the Hudson Valley set-up tables at the event and presented facts about their organizations and ways to help those attending the event. The event space was filled at the Community College, creating an exciting day, and truly celebrating Mental Health Awareness.

2019 NYS Budget Mental Health Highlights:

Funded Programs through the 2019-20 NYS Budget:

The Joseph P. Dwyer Peer to Peer Program. This year will be the first that the Dwyer program will come to NYC. The Senate included \$3,735,000 for the program and an additional \$300,000 for a pilot program in NYC. Advocates cannot say enough about how important this program is and the importance of the funding that goes along with it. The program provides a safe place for veterans to talk about their mental health needs with peers.

Crisis Intervention Team training. This is another successful program that provides training to law enforcement, fire and first responders on the best practices to handle a person experiencing a mental health crisis. Rather than simply arrest this person and place them in a jail, responders are taught to avoid this type of detainment for a more caring setting. The NYS budget allocated \$400,000 for continued training purposes.

Mental Health in Schools. Continued support for the MHANYS School Mental Health Resource and Training Center. The Center has served thousands of teachers, administrators, students and families by providing a support and greater understanding about mental health and wellness. Advocates claim that more mental health education in the k-12 school setting is a top priority to treat and catch mental health issues early in life, which saves society time and money in the future when older adults have received the care they need at an early age. The NYS Budget allocated \$500,000 to the training center in 2019-20.

Mental Health First Aid (MHFA). The NYS Budget allocated \$100,000 to MHANYS to continue to teach MHFA throughout the state. MHFA teaches a person how to identify, understand and respond to signs of mental illnesses and substance use disorders. Senator Carlucci is exploring ways to bring MHFA training to the k-12 setting, the college setting, and local groups (churches, clubs, sports leagues, etc.) (S6628/Carlucci, Requires training for teachers, administrators and instructors in the area of MHFA, a higher education version is being drafted)

Direct Care Workforce Increase. The adopted budget defers the Human Services COLA for another year and grants a 2% raise effective January 1, 2020, for OPWDD, OMH and OASAS direct care workforce and another 2.5% raise effective April 1, 2020 for OPWDD, OMH, and OASAS direct care workforce and clinical staff,



2019 ANNUAL REPORT

**NEW YORK STATE SENATE
STANDING COMMITTEE**

ON MENTAL HEALTH