



NEW YORK STATE SENATOR

Jack M. Martins

Senator Martins' Legislation Enabling Parents to Put Their Children Into Substance Abuse Treatment Passed by Senate

JACK M. MARTINS June 2, 2016

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Senator Jack M. Martins (R-7th Senate District) announced that the New York State Senate has passed legislation he sponsored to strengthen parents' ability to get their children substance abuse treatment. The legislation addresses a problem under current law in which parents are often forced to make the difficult choice to have their child arrested in order to keep them in treatment.

"Parents need to be able to put their children into treatment and keep them there. No one should have to call the police on their own child and have them arrested just to get them the help they need. Every Long Island community is being affected by this heroin epidemic, and people are dying from overdoses in record numbers; we need to make it easier for parents to get their children the help they need, before it's too late," said Senator Martins.

S3237 would allow parents to petition a Family Court to require their child to be placed into a substance abuse treatment services program for up to 60 days. The Court could require the child to stay in treatment for up to an additional 90 days if recommended by the treatment provider. This request would be filed similar to those for a Person In Need of Supervision (PINS) petition.

Parents do not have this ability under current law; children can check themselves out of a rehab program unless they have been ordered to complete the program by the courts. As a result, parents often must resort to having their child arrested to get them into rehab and prevent them from checking out. This puts parents in the terrible position of having to saddle their child with a criminal record in order to get them the help they need.

Newsday recently noted that 442 people died from opiate overdoses on Long Island last year, a rate two-thirds higher than the national average, and that heroin and opioids are now the leading cause of accidental deaths in the United States, killing more people than car accidents.

The legislation was developed based on input from treatment providers, law enforcement, parents, and concerned residents at hearings held by the Senate's Task Force on Heroin and Opioid Abuse, of which Senator Martins is a member.

“Addiction is a brain disease that has among its defining characteristics, denial of the problem and resistance to treatment, especially among young people. Actively addicted adolescents are often a danger to themselves and others, which is evidenced by the skyrocketing number of opioid and heroin-related fatalities statewide. Parents, often engaged in a race against time, need the tools necessary to protect their kids from irreparable harm and a potentially fatal overdose. This is common-sense legislation that will save lives and all of us here at Family and Children's Association thank Senator Martins for his continued leadership in addressing this crisis,” said Dr. Jeffrey Reynolds, President and CEO of Family and Children's Association. Family and Children's Association is one of Long Island's oldest and largest nonprofits serving over 10,000 young people per year and operating two New York State OASAS-licensed outpatient chemical dependency treatment centers in Nassau County.

The legislation has been sent to the Assembly.