



NEW YORK STATE SENATOR

Fred Akshar

Senate Passes Legislation to Make Kendra's Law Permanent

FRED AKSHAR May 2, 2017

| ISSUE: **MENTAL HEALTH, MENTAL HYGIENE, COMMUNITY SAFETY**



The New York State Senate today passed a bill that would strengthen Kendra's Law and make its provisions permanent. The bill (S516), sponsored by Senator Catharine Young (R-C-I, 57TH District), enhances public safety, improves the quality and effectiveness of care provided to the mentally ill, and prevents Kendra's Law from expiring on June 30, 2017.

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Senator Fred Akshar said, "I'm a proud co-sponsor of Kendra's law, which was originally sponsored by my predecessor, Senator Tom Libous. I'm happy to report that we passed this legislation that will enhance the quality of life for individual's suffering from mental illnesses and improve public safety. Legislators and government officials must always remember our obligation to provide the people we serve with basic human services and the support needed to prevent tragedies in our communities."

Kendra's Law was first enacted in 1999 after a tragic incident where 32-year-old Kendra Webdale was pushed in front of a subway train by a man with untreated schizophrenia who was roaming New York City streets. The law allows for court-ordered assisted outpatient treatment (AOT) for individuals who won't voluntarily seek help but are a safety threat.

Since Kendra's Law was enacted, studies have found that patients given mandatory outpatient treatment and who were more violent to begin with were four times less likely than members of a control group to perpetrate serious violence after undergoing AOT. The studies also found less frequent psychiatric hospitalizations, shorter lengths of hospitalizations, reductions in the likelihood of arrest, higher social functioning, less stigma, and no increase in perceived coercion.

The law is designed to prevent serious harm to the mentally ill person or others, but gaps exist in the current system that must be fixed to make it more effective. The measure would not only make Kendra's Law permanent, but includes several provisions to enhance the current system of AOT including: requiring follow-up on those who move during the AOT period to ensure that they receive their treatment; requiring an evaluation for AOT when mental health patients are released from inpatient treatment or incarceration so that people needing services do not fall through the cracks; requiring counties to notify the Office of Mental Health (OMH) when an assisted outpatient is missing and thereby unavailable for an

evaluation as to whether he or she continues to meet AOT criteria; and requiring the Commissioner of OMH to develop an educational pamphlet on the AOT process of petitioning so that family members have information on how to file a report.

The bill has been sent to the Assembly, where it is sponsored by Assemblywoman Aileen Gunther (A604).

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RELATED LEGISLATION

2017-S516

- 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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Enhances the assisted outpatient treatment program and eliminates the expiration and repeal of Kendra's Law

January 03, 2017

In Assembly Committee

Sponsored by **Catharine Young**

Do you support this bill?