



Legislation Details (With Text)

File #: Int 1183-2016 **Version:** A **Name:** Arrestee health screenings and the exchange of health information of inmates in the custody of the department of correction.

Type: Introduction **Status:** Enacted

In control: Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services

On agenda: 5/25/2016

Enactment date: 10/18/2016 **Enactment #:** 2016/124

Title: A Local Law to amend the administrative code of the city of New York, in relation to requiring arrestee health screenings and the exchange of health information of inmates in the custody of the department of correction

Sponsors: Andrew Cohen, Margaret S. Chin, Rosie Mendez, James G. Van Bramer, Ruben Wills, Brad S. Lander, Stephen T. Levin, Ben Kallos, Inez D. Barron

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Date	Ver.	Action By	Action	Result
5/25/2016	*	City Council	Introduced by Council	
5/25/2016	*	City Council	Referred to Comm by Council	
5/26/2016	*	Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services	Hearing Held by Committee	
5/26/2016	*	Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services	Laid Over by Committee	
5/26/2016	*	Committee on Health	Hearing Held by Committee	
5/26/2016	*	Committee on Health	Laid Over by Committee	
5/26/2016	*	Committee on Fire and Criminal Justice Services	Hearing Held by Committee	
5/26/2016	*	Committee on Fire and Criminal Justice Services	Laid Over by Committee	
9/22/2016	*	Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services	Hearing Held by Committee	
9/22/2016	*	Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and	Amendment Proposed by Comm	

9/22/2016	*	Disability Services Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services	Amended by Committee	
9/22/2016	A	Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services	Approved by Committee	Pass
9/28/2016	A	City Council	Approved by Council	Pass
9/28/2016	A	City Council	Sent to Mayor by Council	
10/18/2016	A	Mayor	Hearing Held by Mayor	
10/18/2016	A	Mayor	Signed Into Law by Mayor	
10/19/2016	A	City Council	Recved from Mayor by Council	

Int. No. 1183-A

By Council Members Cohen, Chin, Mendez, Van Bramer, Wills, Lander, Levin, Kallos and Barron

A Local Law to amend the administrative code of the city of New York, in relation to requiring arrestee health screenings and the exchange of health information of inmates in the custody of the department of correction

Be it enacted by the Council as follows:

Section 1. Section 14-155 of the administrative code of the city of New York, as added by local law number 55 for the year 2016, is renumbered section 14-162.

§ 2. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-163 to read as follows:

§ 14-163 Arrestee health information.

a. Definitions. When used in this section, the following terms shall have the following meanings:

Arrestee. The term “arrestee” means any person under custodial arrest by the department, other than a person whose arrest results in the issuance of a summons or desk appearance ticket.

Health care provider. The term “health care provider” means any person licensed or certified under federal or New York state law to provide medical services, including but not limited to doctors, nurses and emergency personnel.

b. Medical treatment report. Whenever an arrestee is treated by a health care provider while in the

custody of the department, the department shall create a report. Such report shall include a brief description of the arrestee's medical condition, to the extent known by the department, the arrestee's name and other identifying information regarding that arrestee, including but not limited to the arrestee's New York state identification number and date of birth, when available, and identity of the health care provider. Such report shall be transmitted to the department of health and mental hygiene or its designee whenever an arrestee is taken into the custody of the department of correction.

§ 3. Title 17 of the administrative code of the city of New York is amended by adding a new chapter 18 to read as follows:

CHAPTER 18
POLICE AND CORRECTIONAL HEALTHCARE EVALUATION AND SHARING

§ 17-1801 Definitions. For the purposes of this chapter, the following terms shall have the following meanings:

Arrestee. The term “arrestee” has the same meaning as set forth in subdivision a of section 14-163.

Health care provider. The term “health care provider” means any person licensed or certified under federal or New York state law to provide medical services, including but not limited to doctors, nurses and emergency personnel.

Health evaluation. The term “health evaluation” means any evaluation of an inmate's health and mental health upon their admission to the custody of the department of correction pursuant to minimum standards of inmate care established by the board of correction.

Inmate. The term “inmate” means any person in the custody of the New York city department of correction.

Screened. The term “screened” means evaluated by a health care provider.

§ 17-1802 Arrestee health screening. Every arrestee held at the central booking area of a local criminal court prior to their arraignment at such court shall be screened for medical or mental health conditions that may

require immediate attention. The department or its designee shall oversee such screening.

§ 17-1803 Inmate health information from screening. The department or its designee shall establish procedures to make available reports received from the New York city police department pursuant to section 14-163 to any health care provider in a department of correction facility conducting a health evaluation, at such time as a health evaluation is conducted.

§ 17-1804 Inmate health information exchange. The department or its designee shall establish procedures to obtain the pre-arraignment screening record created pursuant to section 17-1802 and any medical records created and maintained by any hospital in connection with treatment provided to an arrestee who subsequently enters the custody of the department of correction, at the request of any health care provider conducting a health evaluation of such inmate.

§ 3. This local law takes effect 6 months after it becomes law.

LS #2714

BC

9/6/16