



Legislation Details (With Text)

**File #:** Res 1185-2003      **Version:** \*      **Name:** NYS legislature to develop and institute a process by which localities are consulted prior to eliminating or reducing psychiatric services provided by the NYS Office of Mental Health.

**Type:** Resolution      **Status:** Adopted

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

**On agenda:** 12/3/2003

**Enactment date:**      **Enactment #:**

**Title:** Resolution calling upon the New York State legislature to develop and institute a process by which localities are consulted prior to eliminating or reducing psychiatric services provided by the New York State Office of Mental Health.

**Sponsors:** Margarita Lopez, Maria Baez, Charles Barron, Gale A. Brewer, Yvette D. Clarke, Leroy G. Comrie, Jr., Lewis A. Fidler, Helen D. Foster, James F. Gennaro, Robert Jackson, Miguel Martinez, Joel Rivera, Kendall Stewart, David I. Weprin, Alan J. Gerson

**Indexes:**

**Attachments:** 1. Committee Report, 2. Stated Meeting - Hearing Transcript 12/15

Date	Ver.	Action By	Action	Result
12/3/2003	*	City Council	Introduced by Council	
12/3/2003	*	City Council	Referred to Comm by Council	
12/8/2003	*	Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services	Hearing Held by Committee	
12/8/2003	*	Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services	Approved by Committee	Pass
12/15/2003	*	City Council	Approved, by Council	Pass

Res. No. 1185

Resolution calling upon the New York State legislature to develop and institute a process by which localities are consulted prior to eliminating or reducing psychiatric services provided by the New York State Office of Mental Health.

By Council Members López, Baez, Barron, Brewer, Clarke, Comrie, Fidler, Foster, Gennaro, Jackson, Martinez, Rivera, Stewart, Weprin and Gerson

Whereas, The New York State Constitution, in Article XVII, Section 3, provides for the protection and promotion of the health of the inhabitants of the State; and

Whereas, Furthermore, the Mental Hygiene Law dictates that all of the State's residents who are disabled receive services according to their individualized needs and, whenever possible, in their home communities to enable them to realize their fullest potential for living independently; and

Whereas, The Mental Hygiene Law also requires a statewide comprehensive five year plan for the provision of all State and local services, formulated from local comprehensive plans with the participation of consumers, service providers and agencies, and including specific elements, goals and objectives; and

Whereas, Governor Pataki, in the New York State Executive Budget Proposal for Fiscal Year 2003-2004, proposed slashing many programs throughout the State, affecting in large part the ability of New York City to adequately serve the needs of residents with serious and persistent mental illness, mental retardation, developmental disabilities, autism, substance abuse and other psychiatric disorders; and

Whereas, The Governor's plan had called for the closing of a total of five psychiatric centers, including the Bronx Psychiatric Center and Bronx Children's Psychiatric Center (collectively, the "Centers"); and

Whereas, The Bronx Psychiatric Center, with 360 in-patient beds, a residential transitional program with 120 transitional beds and an out-patient facility, is affiliated with the Albert Einstein College of Medicine and provides a range of bilingual services, including intensive treatment and stabilization, alcohol/substance abuse, community skills and transitional living; and

Whereas, The Bronx Children's Psychiatric Center, with 78 in-patient beds, provides day-treatment services for those 18 years of age and younger; and

Whereas, The Centers are unique among State Office of Mental Health facilities with respect to the level of bilingual and bicultural Spanish services, providing the only Spanish speaking psychiatric wards in the State system in an area where there are approximately 645,000 Hispanics; and

Whereas, During the 2003 legislative session, the New York State Assembly and Senate overrode the Governor's veto in order to keep these vital facilities open; and

Whereas, The closing of the Centers would create a significant negative human and economic impact on the Center's residents and the community; and

Whereas, The Governor's proposal would mean a loss of thousands of jobs in the community and would leave a void in the delivery of much needed mental health services, since comparable alternatives for the care of such vulnerable patients would not be provided; and

Whereas, The New York City Department of Health and Mental Hygiene (DOHMH), has indicated, according to Dr. Sederer, Executive Deputy Commissioner, that it would not support the closure of a facility without meeting certain conditions; and

Whereas, Before the State shuts down or reduces services at any psychiatric facility there must be a local comprehensive planning process and a local procedural review established to address vital issues including adequate access to inpatient psychiatric services for community residents, participation of clients, families, consumers and providers in the planning process, establishment of a relocation protocol with the goal of placing patients in the most proximate facilities, funding allocation among institutional and community-based care, maintenance of outpatient services at current levels and operation of community residences at the Centers; now, therefore; be it

Resolved, That the Council of the City of New York calls upon the New York State legislature to develop and institute a process by which localities are consulted prior to eliminating or reducing psychiatric services provided by the New York State Office of Mental Health.

MDP  
LS No.2790  
11/26/03