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Int. No. 2406

By Council Members Levin, Rosenthal, Cumbo and Rivera

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to report on hospital treatment and programs for sexual assault survivors

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.18 to read as follows:

§ 17-199.18 Report on hospital treatment and programs for survivors of sexual assault. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Age category. The term "age category" means the age categories of 18 and under, 19-29, 30-39, 40-49, 50-59 and 60 and older.

Hospital. The term "hospital" means an institution or facility operating in New York city possessing a valid operating certificate issued pursuant to article 28 of the public health law.

Program. The term "program" means a program in a hospital for a survivor of sexual assault, which provides services to survivors such as advocacy, counseling, crisis intervention and support services.

Sexual assault. The term "sexual assault" means conduct defined under article 130 of the New York penal law.

b. Report. By no later than January 31, 2022, and annually thereafter, the commissioner shall report to the mayor and the speaker of the council on hospital treatment and programs for survivors of sexual assault and shall post such report on the department's website. The annual report shall provide the following information, by month, for the immediately preceding calendar year, to the extent such is available to the department:

1. The number of survivors of sexual assault treated at a hospital for such sexual assault, disaggregated by the number of such survivors treated at a hospital less than 24 hours after such sexual assault and the number of such survivors who were treated at a hospital more than 24 hours after such sexual assault;

2. The percentage change, from the preceding calendar year, in the number of survivors of sexual assault treated at a hospital for such sexual assault;

3. The number and percentage of survivors of sexual assault treated at a hospital for such sexual assault and who received services from a program, disaggregated by the survivor's age category, gender identity and race or ethnicity;

4. The percentage change, from the preceding calendar year, in the number of survivors of sexual assault treated at a hospital for such sexual assault and who received services from a program;

5. The number and percentage of survivors of sexual assault treated at a hospital for such sexual assault and who did not receive services from a program, disaggregated by the survivor's age category, gender identity and race or ethnicity;

6. The percentage change, from the preceding calendar year, in the number of survivors of sexual assault treated at a hospital for such sexual assault and who did not receive services from a program; and

7. A list of the programs, by borough, which shall include:

(a) The program's name and address;

(b) The services that the program provided to survivors of sexual assault;

(c) Whether the program followed-up with survivors of sexual assault after it provided services to such survivors, and if so, the number and percentage of such survivors who the program followed-up with and the form of such follow-up, including, but not limited to, email, phone or text;

(d) Whether the program provided any referrals to survivors of sexual assault for services outside of the program, and if so, the number and percentage of such survivors who received such referrals and the type of services that such referrals were for, including, but not limited to, medical, mental health, legal, housing or

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other services;

(e) Whether the program solicited feedback from survivors of sexual assault about the program or such referrals for additional services and how the program incorporated such feedback;

(f) The number and titles of the program's staff and volunteers; and

(g) The trainings that such staff and volunteers received regarding the program.

c. The report required by subdivision b shall not contain any personally identifiable information.

d. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law.

§ 2. This local law takes effect immediately.

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