

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2016**

No. 124

Introduced 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.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on September 28, 2016 and approved by the Mayor on October 18, 2016.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 124 of 2016, Council Int. No. 1183-A of 2016) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel