

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2021**

No. 155

Introduced by Council Members Ayala, Kallos, Rosenthal and Gennaro (by request of the Mayor).

A LOCAL LAW

To amend the New York city charter, in relation to establishing an office of community mental health

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 20-m to read as follows:

§ 20-m. Office of community mental health and mental health council. a. Definition. For the purposes of this section, the term “director” means the director of the office of community mental health.

b. Office of community mental health. The mayor shall establish an office of community mental health. Such office may be established within the executive office of the mayor or as a separate office or within any other agency or office headed by a mayoral appointee as the mayor may determine. Such office shall be headed by a director, who shall be appointed by the mayor or by the head of such other agency or office.

c. Powers and duties. The director shall have the power and duty to:

1. Request and receive the assistance of any other agency or office the director deems necessary to further efforts to:

(a) Reduce substance misuse and promote access to services for substance use disorder;

(b) Promote access to treatment for New Yorkers with mental health needs;

(c) Promote equity in access to treatment;

(d) Reduce any racial and ethnic disparity in reported mental health emergencies in the city;

and

(e) Reduce the incidence of mental health emergencies occurring in the city and address individual's mental health needs before they become crises.

2. Develop and support the implementation of strategies to close gaps in mental health care identified by the office established pursuant to this section by:

(a) Monitoring the implementation of such proposals; and

(b) Providing data and budgetary information of such programs on such office's website.

3. Develop interagency policies and practices to promote mental health. Such policies and practices shall include coordination with other agencies to:

(a) Effectively and equitably promote mental health crisis prevention, intervention and stabilization practices;

(b) Promote mental health screening;

(c) Facilitate referrals to mental health care;

(d) Offer training; and

(e) Implement other strategies to promote mental health.

4. Decrease any barriers to mental health care that may prevent access among groups identified as being under-served by such care by:

(a) Developing and implementing strategic partnerships with other agencies and entities to increase access to mental health care; and

(b) Disseminating resources to enhance mental health literacy, promote access to mental health care, and promote equity in access to treatment.

5. Perform such other relevant duties as the mayor may assign.

d. Interagency coordination. In performing their duties, the director shall coordinate with the commissioner of health and mental hygiene, or their designee; and any other agency or office the director deems necessary to further the duties of the office established pursuant to this section.

e. Mental health council. 1. There shall be established a mental health council to advise the office of community mental health on issues relating to mental health and mental health care and facilitate coordination and cooperation among city agencies. Such council may:

(a) Recommend initiatives and methods to promote mental wellbeing and increase access to high quality mental health care, and address structural determinants of mental health;

(b) Identify methods for advocating for New Yorkers with mental health needs and recommend support programs to remove barriers to mental health treatment and ensure stable and productive lives;

(c) Recommend legislative or regulatory action to improve the lives of people suffering from mental illness and to promote mental health;

(d) Identify methods for such office to support other stakeholders working to provide effective, high quality mental health and care; and

(e) Recommend strategies for such office to educate the public about mental health and available resources.

2. The mental health council shall be convened by the director at least twice each year, and at any other time the director determines.

3. *The mental health council shall consist of delegees of any office or agency the director determines the participation of which would aid such office's efforts.*

f. Scope. Nothing in this section shall be construed to affect the powers and duties of the department of health and mental hygiene and the mental hygiene advisory board pursuant to chapter 22 of the charter, article 41 of the mental hygiene law or other applicable law. Powers and duties conferred by this section on the office of community mental health or the mental health council that are within the scope of the powers and duties of such department or board shall be exercised in coordination with such department or board.

g. Reporting. No later than January 31 of each year, the office of community mental health shall submit to the mayor and speaker of the council, and post to such office's website, a report identifying critical gaps in mental health care that are preventing New Yorkers with mental health needs from accessing and staying connected to care. To identify such gaps, such office may review existing data and research, conduct research as needed, and interview agency staff, community partners, mental health providers and other relevant experts.

§ 2. This local law takes effect 90 days 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 December 9, 2021 and approved by the Mayor on December 22, 2021.

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. 155 of 2021, Council Int. No. 2442-A of 2021 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.