

Adult Mental Health in the 2024 New York State of the State

Gov. Kathy Hochul has several proposals in her 2024 State of the State that are designed to “tackle the mental health crisis” for adults in New York¹. Her proposals fall into two main areas: **public safety policies** and **insurance policies**.

1. Public Safety:

Gov. Hochul has several proposals to “**improve public safety** by addressing serious mental illness.”² She frames these proposals as critical to “ensure that individuals receive the services they need and do not continue to be shuffled among jails, hospitals, and shelter systems – a status quo that does not improve outcomes for individuals struggling with mental illness and does not enhance public safety”³. These proposals include:

Opening New Psychiatric Inpatient Beds⁴:

- Establishing three additional 25-bed Transition to Home Units (THUs)
- Creating 100 new inpatient psychiatric beds in state psychiatric centers
- Creating 25 new forensic psychiatric inpatient beds
- Repurposing 50 inpatient psychiatric beds to serve individuals awaiting restoration to competency prior to trial

Establishing a Law Enforcement and Mental Health Coordination Team⁵:

- Creating a dedicated team at the Office of Mental Health (OMH) responsible for monitoring data shared by law enforcement, correctional facilities, hospitals and providers to connect individuals to services
 - This team will work with local mental health providers and resources through OMH regional field offices

Improve Mental Health Admission and Discharge Decisions by Hospitals⁶:

- Directing OMH and Department of Health (DOH) to codify guidance advising hospitals, emergency rooms and CPEPs of their responsibilities regarding admission and discharge of patients with behavioral health conditions

¹ 2024 State of the State, <https://www.governor.ny.gov/sites/default/files/2024-01/2024-SOTS-Book-Online.pdf> at 15

² Id. at 16

³ Id.

⁴ Id. at 17

⁵ Id.

⁶ Id. at 18

- Requirements to screen patients for risk of suicide, violence, substance use, and other complex needs
- Requirements to provide a hand-off to an aftercare provider
- Requirements to schedule a follow-up psychiatric appointment within 7 days
- Funding for OMH to expand surveillance and regulatory compliance programs

Expanding Mental Health Courts⁷:

- Establishing new mental health courts and increasing funding for existing courts, allowing them to take on more cases

Funding Court-Based Mental Health Navigators⁸:

- Funding for mental health navigators in county courts responsible for identifying defendants with a history of mental health concerns, who will refer individuals to treatment and services
 - There will be an emphasis on recruiting navigators with lived experience of mental health challenges

Increasing Transitional Housing for Individuals Referred Through the Court System⁹:

- Increasing access to transitional housing with case managers who can help individuals obtain permanent housing, employment, treatment, etc.

Funding New Community-Based Mental Health Teams¹⁰:

- Funding Intensive Forensic Assertive Community Treatment (FACT) teams to give 24/7 support to individuals with serious mental illnesses

More Intensive Supervision of Individuals on Parole¹¹:

- Establishing a specialized version of the Supervision Against Violent Engagement (SAVE) program for individuals with mental health diagnoses under parole supervision

Fund Specialized Housing for People with Serious Mental Illness and Criminal History¹²:

- Creating housing units for individuals with a history of repeated arrests and difficulty engaging in mental health treatment with specially trained staff to provide case support and crisis and de-escalation support

⁷ Id.

⁸ Id.

⁹ Id. at 19

¹⁰ Id.

¹¹ Id.

¹² Id. at 20

Expanding Crisis Intervention Team (CIT) Training for Law Enforcement¹³

2. Insurance:

Gov. Hochul has several proposals to “**expand insurance coverage** for mental health services and **hold insurers accountable**”¹⁴. These include:

Strengthening Mental Health Parity Enforcement¹⁵:

- Funding additional staff to bring enforcement actions
- Introducing legislation to double fines that insurers face for noncompliance with parity requirements

Requiring Increased Commercial Insurance Reimbursement Rates for Mental Health Services¹⁶:

- Introducing legislation to require adequate reimbursement of OMH and OASAS licensed outpatient services to at least at the Medicaid rate for comparable services

Increasing Access to Care through Network Adequacy Regulations¹⁷:

- Promulgating network adequacy regulations for commercial and Medicaid insurers that will set standards related to access to behavioral health services
 - Require that if insurers cannot provide appointments for behavioral health services within a specific number of days, they have to provide out-of-network coverage at no additional cost
 - Require plans to maintain transparent and accurate provider directories

Issue Guidance on Free Mental Health Screenings¹⁸:

- Ensure plans cover mental health screenings in mental health, primary care, SUD and integrated settings without costs, as per NYS law

¹³ Id.

¹⁴ Id. at 25

¹⁵ Id.

¹⁶ Id. at 26

¹⁷ Id.

¹⁸ Id. at 27

Increase Medicaid Reimbursement for Mental Health Services in DOH Facilities and Private Practices¹⁹:

- Increase support for mental health services in DOH facilities and private practices to bring them closer to the rate for OMH-licensed facilities

Additional proposals:

There are some additional proposals relevant to adult mental health, including:

First Responders²⁰:

- Increase funding for suicide prevention programming and peer-to-peer training for first responder organizations (police, firefighters, EMTs, disaster relief workers)

Maternal Mental Health²¹:

- DOH and OMH will increase access to comprehensive mental health screening tools to identify and treat mental health conditions in pregnancy and the postpartum period
- OMH specialized training for 988 providers related to maternal mental health issues
- Funding for Project TEACH Maternal Mental Health to offer training to not only psychiatrists but also therapists, lactation consultants, WIC staff, home visiting nurses and other practitioners working with pregnant and postpartum New Yorkers

Mental Health of Women Veterans²²:

- Department of Veteran's Services will create a specialized toolkit and training program focused on mental health support for women veterans

Budget Information²³:

FY 2025 Executive Budget raises state investment in the mental health system up over 45 percent, from \$3.3 billion in 2022 to \$4.8 billion, including:

- \$55 million to create 200 new inpatient psychiatric beds.
- \$43 million to keep supportive housing units for people in need of mental health services.
- \$42.2 million to increase reimbursement for mental health treatment services.
- \$37 million to build new programs for unhoused individuals living with mental illness

¹⁹ Id.

²⁰ Id. at 39

²¹ Id. at 61

²² Id. at 145

²³ "GOVERNOR HOCHUL ANNOUNCES HIGHLIGHTS OF FY 2025 EXECUTIVE BUDGET", Division of the Budget, (Jan. 16, 2024)

<https://www.budget.ny.gov/pubs/press/2024/fy25-executive-budget.html#:~:text=Governor%20Hochul's%20FY%202025%20Executive,15%20percent%20of%20operating%20costs.>



- \$24 million to help people with mental health problems who are in the criminal justice system.

Summary prepared by Anand Bradley, Health Justice Advocacy Legal Intern at the Urban Justice Center Mental Health Project (MHP), March 2024. Summary is for informational purposes only and is not an endorsement of or comment on any policy. Questions or comments, please reach out to Frankie Herrmann, Health Justice Advocacy Supervisor at fherrmann@urbanjustice.org or 646-602-5687