

## NEW YORK - Quality of Laws: C / Use of Laws: C

| QUALITY OF LAWS (50/80): Grade C                                      |         |                                                                                                                                                               |
|-----------------------------------------------------------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Inpatient commitment law (4/34: Grade F )                             |         |                                                                                                                                                               |
| Criteria                                                              | (0/25)  |                                                                                                                                                               |
| Gravely disabled standard                                             | (0/10)  | No.                                                                                                                                                           |
| Need for treatment standard                                           | (0/15)  | No.                                                                                                                                                           |
| Citizen's right to petition                                           | (0/5)   |                                                                                                                                                               |
| May family member directly petition court for inpatient commitment?   | (0/3)   | No. Hosp director only. N.Y. MENTAL HYG. LAW § 9.27(a).                                                                                                       |
| May other lay adult directly petition court for inpatient commitment? | (0/2)   | No.                                                                                                                                                           |
| Duration                                                              | (4/4)   |                                                                                                                                                               |
| Allow initial commitment order to exceed 14 days?                     | (1/1)   | Yes. 6 months. N.Y. MENTAL HYG. LAW § 9.33(b).                                                                                                                |
| Allow initial commitment order to exceed 30 days?                     | (3/3)   | Yes.                                                                                                                                                          |
| Outpatient commitment law (34/34: Grade A+)                           |         |                                                                                                                                                               |
| Statutory authority for outpatient commitment?                        | (4/4)   | Yes. N.Y. MENTAL HYG. LAW § 9.60                                                                                                                              |
| Criteria sufficiently broad to provide access?                        | (20/20) | Yes. N.Y. MENTAL HYG. LAW § 9.60(c).                                                                                                                          |
| Procedures sufficiently explained to guide practice?                  | (5/5)   | Yes. Requires development of treatment plan, places provider under order, establishes state oversight, addresses non-compliance. N.Y. MENTAL HYG. LAW § 9.60. |
| Allow initial order to exceed 90 days?                                | (2/2)   | Yes. 1 year. N.Y. MENTAL HYG. LAW § 9.60(j)(2).                                                                                                               |
| Allow initial order to exceed 180 days?                               | (2/2)   | Yes.                                                                                                                                                          |
| Allow renewal to exceed 180 days?                                     | (1/1)   | Yes.                                                                                                                                                          |
| Emergency Evaluation (12/12: Grade A+)                                |         |                                                                                                                                                               |
| Criteria aligned with state commitment standard?                      | (8/8)   | Yes. N.Y. MENTAL HYG. LAW § 9.39(a).                                                                                                                          |
| Citizens' right to petition?                                          | (4/4)   | Yes. N.Y. MENTAL HYG. LAW § 9.43(a).                                                                                                                          |

| USE OF LAWS (5/14): Grade C                      |                     |                                                                                                                                                                       |
|--------------------------------------------------|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| From New York mental health practitioner sources |                     |                                                                                                                                                                       |
| inpatient laws                                   | 0/5                 | Inpatient commitments are RARELY OR NEVER pursued on grounds other than imminent risk of violence or suicide.                                                         |
| outpatient laws                                  | 5/5                 | Outpatient commitment is practiced ROUTINELY throughout the state.                                                                                                    |
| conditional release                              | 0/2                 | Conditional release is NOT practiced in the state.                                                                                                                    |
| waits for beds                                   | No penalty          | Persons admitted to hospitals for mental health treatment are NOT commonly forced to wait for hospital beds to become available.                                      |
| medication over objection                        | No penalty or bonus | The delay between an involuntary inpatient's refusal of therapeutic medication and the administration of such medication is typically between one week and one month. |