

Amendment #2 in the Nature of Substitution to Clerk Item No. 440-18

Introduced by: Legislator Siela Bynoe

LOCAL LAW NO. 18-2018

A LOCAL LAW TO REQUIRE CERTAIN COUNTY EMPLOYEES TO RECEIVE MENTAL HEALTH FIRST AID TRAINING

APPROVED AS TO FORM
[Signature]
PETER J. CLINES MINORITY COUNSEL

Passed by the Nassau County Legislature on December 17, 2018
Voting: for: 19, against: 0
Became a law on December 20, 2018 with the approval of the County Executive.

WHEREAS, according to the National Council for Behavioral Health, one in five Americans has a mental illness;

WHEREAS, untreated as well as improperly treated mental illness have social and economic ramifications that affects the health, safety, and welfare of every person within the County; and

WHEREAS, an essential component of mental health first aid is to train people so that they acquire the skills to help a person who is developing a mental health problem or experiencing a mental health crisis; and

WHEREAS, the National Council for Behavioral Health introduced Mental Health First Aid USA to provide training for first responders, corrections officers, social services and human services professionals in order to provide instruction on the techniques for recognizing and addressing mental health issues before a problem escalates into a tragedy; and

WHEREAS, expanding mental health first aid training as mandatory for certain employees of the County who have direct and consistent interaction with the public will provide those individuals with the proper tools to aid in identifying and assisting residents who have a mental health issue; and

WHEREAS, in addition to requiring mandatory mental health first aid training for certain employees of Nassau County, it is reasonable and necessary for the County to contractually offer mental health first aid training to specific community stakeholders who are routinely engaged with young people; now, therefore,

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. New Sections 22-18.0 through Section 22.18.5 are hereby added to Chapter XXII of Title A of the Nassau County Administrative Code to read as follows:

§22.18.0 Legislative Intent.

It is the intent of the Legislature of the County of Nassau to promote the general health, safety and welfare of the residents of the County by requiring all Nassau County employees who provide services directly to the public, including but not limited to corrections personnel, social services and human services staff, emergency medical technicians and emergency management personnel, to undergo training in the provision of mental health first aid. The Legislature finds that unrecognized and untreated mental and emotional disorders may play a role in recurring acts of mass violence such as active shooter incidents in our schools and workplaces. The Legislature further finds that young people and others who display persistently aggressive, anti-social or excessively socially withdrawn or alienated behavior patterns, or who have difficulty coping with social and family pressures, may be suffering from undiagnosed mental illness or emotional distress which can contribute to such violent incidents. Mental health first aid will assist in identifying individuals who can benefit from treatment and support, such as counseling or therapy. The Legislature further finds and determines that the consequences of untreated mental illness have been neglected for too long and that it is imperative that our society

and its institutions vastly improve their ability to identify and address mental illness before it may lead to harmful or tragic consequences.

It is the judgment of this Legislature that prompt and effective first aid for mental illness is of equal importance to effective first aid for physical illness and injury and should be a top priority for the County. The Legislature further finds that mental health first aid training is customarily an eight-hour course of instruction which educates participants in the methods of effectively recognizing, identifying, understanding and responding to signs and behavioral manifestations of mental illness and substance abuse disorders. The Legislature recognizes that mandating mental health first aid training for certain County employees, creating training opportunities for employees to instruct others, and offering courses to individuals who frequently interact with young people, will potentially assist in averting tragedies attributable to suicidal, harmful or aggressive behaviors related to mental illness, reduce the stigma of mental health issues, and enable people who are suffering from a mental illness to receive the medical as well as emotional care and support they need.

§22.18.1 Mandatory Mental Health First Aid Training for Certain County Employees.

A. All current full-time and part-time employees of Nassau County who provide services directly to the public, including but not limited to specific corrections personnel, social services and human services staff, emergency medical technicians, and emergency management personnel, shall be required to receive eight hours of mental health first aid training, as specified in § 22.18.2 of this Title.

1. The following are the job titles of covered employees that shall receive mandatory mental health first aid training:

- i. Category A - Department of Social Services: Case Supervisor I; Case Supervisor II; Case Supervisor III; Caseworker I – Bi-Lingual Spanish; Caseworker I; Caseworker II; Caseworker III; Chief Social Welfare Examiner Supervisor; Social Welfare Examiner Supervisor I; Social Welfare Examiner Supervisor II, Social Welfare Examiner Supervisor III; Social Welfare Examiner I – Bi-Lingual; Social Welfare Examiner I; Social Welfare Examiner II; Child Support Investigator I – Bi-

Lingual; Child Support Investigator I; Child Support Investigator II; Child Support Investigator III; Community Service Assistant; Community Services Representative; Drug Abuse Technician I; Job Developer I; Job Developer II; Psychiatric Social Worker I; Substance Abuse Rehab Counselor I; Director of Children Services; Director Child Support Collection and Enforcement; Director of Employment Programs; Director of Children's Protective Services.

- ii. Category B - Department of Human Services: Assistant Director of Specialty Services; Assistant Coordinator, Senior Citizen Services Project; Assistant Director of Drug Treatment Services; Assistant Director of Vocational Services; Deputy Commissioner of Senior Citizen Affairs; Director of Chemical Dependency Services; Director of Drug Treatment Services; Director – Office of the Aging; Licensed Practical Nurse I; Licensed Practical Nurse II; Medical Director, Methadone Maintenance Services; Nurse Practitioner; Physician; Physician Assistant II, Public Health Nurse I; Public Health Nutritionist I; Public Health Nutritionist II; Registered Nurse I, Registered Nurse II; Registered Nurse III; Registered Nurse IV; Registered Nurse V; Substance Abuse Rehabilitation Counselor I; Substance Abuse Counselor II; Supervisor of Alcoholism Direct Services.
- iii. Category C - Public Safety: Director of Juvenile Detention Center; Assistant Director of Juvenile Detention Center; Director of Probation; JDAI Coordinator; LPN F/T; RN P/T; Nurse Practitioner; Probation Officer Trainee; Probation Officer I; Probation Officer II; Probation Supervisor I; Probation Supervisor II; Youth Group Supervisor; Youth Group Worker; Youth Group Worker II; Youth Group Worker Assistant P/T; Youth Group Worker Assistant F/T; Youth Group Worker Assistant II; Youth Group Worker Assistant III;
- iv. Category D – County Attorneys: Deputy County Attorney; Assistant County Attorney.

- B. All mental health first aid training programs provided by the County shall be designed to include but not be limited to accomplishing the following objectives: recognizing the symptoms of common mental illnesses and substance abuse disorders; de-escalating crisis situations safely; and initiating timely referral to mental health and substance abuse resources available in the community.
- C. All full-time and part-time employees of the Nassau County whose job title is listed in section 22.18.1 A(1) hired after the final adoption of this local law who provide services directly to the public, including but not limited to corrections personnel, social services and human services staff, emergency medical technicians, and emergency management personnel shall be required to receive eight hours of mental health first aid training, as specified in section 22.18.2 of this Title within six months from the date of commencement of employment.
- D. Not fewer than one-third of the covered employees subject to this law shall be trained in calendar year 2019; one-third shall be trained in calendar year 2020; and one-third shall be trained in calendar year 2021 such that all current employees receive the requisite training on or before the end of calendar year 2021.

§22.18.2 Types of Mandatory Mental Health First Aid Training Provided.

- A. There shall be three types of mental health first aid training provided to County employees, based on the nature of the populations primarily served by such employees, as follows:
 - 1. Public Safety Oriented Training: Public Safety Oriented Training mental health first aid training shall be an eight-hour course specially designed to help first responders, corrections officers and other public safety professionals better understand mental illnesses and addictions and provide them with effective response options to de-escalate incidents without compromising safety;
 - 2. Adult Oriented Training: Adult Oriented Training mental health first aid for adults shall be an eight-hour course specifically designed to educate individuals eighteen years and older in effective approaches to assisting adults experiencing a mental health related crisis or problem such as anxiety, depression, psychosis, and addiction; and

3. Youth Oriented Training: Youth Oriented Training mental health first aid training shall be an eight-hour course specifically designed to educate for adults who regularly interact with youth in effective approaches to assisting young people between the ages of twelve and eighteen who may be experiencing a mental health related crisis or problem such as anxiety, depression, psychosis, or addiction.
- E. Based on the category of job duties assigned to County employees, the employees shall be required to undergo the following types mental health first aid training:
1. Category A and Category B direct service providers such as health and human services and social services professionals shall be required to receive training in adult mental health first aid and youth mental health first aid; and
 2. Category C and Category D that includes first responders, corrections officers, deputy county attorneys and other public safety professionals shall be required to receive public safety training.
- F. Upon completion of mandatory mental health first aid training, County employees shall be issued a certificate of completion, which shall be effective for a term of three years and sixty-days from the date of issuance.

§22.18.3 Exception to the Mental Health First Aid Training.

- A. No training shall be required for any covered employee whose job title is listed in section 22.18.1 A(1) if the covered employee has already been issued a certificate of completion for training that meets or exceeds the mental health first aid training standards for certification as determined by the Nassau County Department of Health and Human Services or for the type of mental health first aid training required for the category and job title specified in section 22.18.2 of this Title.
- B. Notwithstanding the exception in subsection A of this section, the covered employee shall be required to recertify as required in section 22.18.4, unless a different recertification period is required by a training program that meets or exceeds mental health first aid standards as determined by the Nassau County Department of Health and Human Services.

§22.18.4 Re-certification.

- A. All full-time and part-time covered employees who receive mental health first aid training shall be required to take the online re-certification course no later than sixty days after the expiration of the previous three-year certification.
- B. All full-time and part-time covered employees who receive mental health first aid training shall file their training or re-training certificate of completion with the human resources officer of their department or office.

§22.18.5 Training Course.

In order to promote the dissemination of mental health first aid instruction within Nassau County, the County shall utilize grant funding to implement a plan to offer mental health first aid instructor training to school district personnel, provided such training is an allowable cost of the relevant grant award.

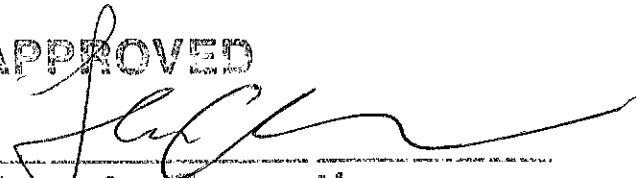
§22.18.6 Implementation and Administration.

The mental health first aid training program established by this local law shall be implemented and administered by the Nassau County Department of Health and Human Services, which shall have the power to promulgate rules, regulations and guidelines necessary to accomplish the objectives set forth herein no later than sixty days after the effective date of passage of the local law.

Section 2. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 3. SEQRA Determination. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L., section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R. and section 1611 of the County Government Law of Nassau County, that the adoption of this local law is a “Type II” Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and, accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

Section 4. Effective Date. This Local Law shall take effect January 1, 2019.

APPROVED


County Executive
DATE 12/20/18