

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2022**

No. 36

Introduced by Council Members Louis, Kallos, Ayala, Rosenthal, Dinowitz, Gennaro and Rose.

A LOCAL LAW

In relation to reporting on the mental health of New Yorkers during the COVID-19 public health crisis

Be it enacted by the Council as follows:

Section 1. Report on COVID-19 and mental health. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Commissioner. The term “commissioner” means the commissioner of health and mental hygiene.

COVID-19. The term “COVID-19” means the disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

COVID-19 public health emergency. The term “COVID-19 public health emergency” means the period of time from March 12, 2020 until the conclusion of the state of emergency in the city of New York declared in emergency executive order 98 on March 12, 2020, as extended by subsequent emergency executive orders.

Department. The term “department” means the department of health and mental hygiene.

Mental health emergency. The term “mental health emergency” means (1) a medical or behavioral health condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that a prudent layperson, who possesses an average knowledge of health and

medicine, could reasonably expect the absence of immediate medical or behavioral health attention to result in a significant risk of serious harm to oneself or others; or (2) where a person's actions, feelings, and behaviors can reasonably be expected to put them at risk of being unable to care for themselves or function in the community in a healthy manner; or (3) any other situation or circumstance designated as a mental health emergency by the department.

b. No later than six months after the enactment of this local law, and every 6 months thereafter for the duration of the COVID-19 public health emergency, the department shall track and issue a report on the mental health of New Yorkers during the COVID-19 public health emergency. Such report shall be issued to the mayor and the speaker of the council and shall be published on the department's website. The department may work with community-based organizations, federally qualified health centers, and other community providers to conduct surveys and obtain aggregate information, and may seek information from hospitals, the department of education, the department for the aging, the department of social services and any other entity as the commissioner deems appropriate.

c. The report required pursuant to subdivision b of this local law shall include the following information:

1. The number of (i) calls received by the 311 customer service center, including those referred to NYC Well or any successor service and (ii) reports received through the mobile application of the 311 customer service center relating to mental health, including, but not limited to, those seeking resources or referrals or reporting mental health emergencies, as reported to the department by the department of information technology and telecommunications;

2. The number of phone calls, text messages or online chat messages received by any mental health hotline maintained by the department or by another agency;

3. The number of 911 calls relating to (i) mental health emergencies and (ii) substance misuse or overdoses, as reported to the department by the police department;

4. The number of hospital admissions for overdoses or that were substance use-related, to the extent such information is available to the department; and

5. Any other information regarding the mental health of New Yorkers during the COVID-19 public health emergency that the commissioner deems appropriate.

d. The information required by subdivision c of this local law shall be disaggregated by age, race, gender, zip code and any other demographic category that the department deems relevant, to the extent such demographic information is available.

e. The report required pursuant to subdivision b of this section shall additionally include, on an annual basis beginning with the report due 12 months after the enactment of this local law, a description of any trends in adverse mental health of New Yorkers during the COVID-19 public health emergency and any steps taken by the department to address such trends.

f. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate confidentiality or any applicable provision of federal, state or local privacy law, rule or regulation.

§ 2. This local law takes effect immediately.

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 15, 2021 and returned unsigned by the Mayor on January 14, 2022.

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. 36 of 2022, Council Int. No. 2005-A of 2020) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.