



MEMORANDUM IN OPPOSITION
Bill # A.10421 / S. 7596

The Coalition of Behavioral Health Agencies **opposes** bill number A.10421 / S. 7596 to repeal the expiration of Kendra's Law and make it permanent. Kendra's Law was enacted in 1999 to establish a system for court-ordered outpatient mental health treatment for certain individuals with psychiatric disabilities. In 2005, it was extended to allow for further study of the efficacy of the Assisted Outpatient Treatment (AOT) program created under Kendra's Law.

The Coalition agrees that Kendra's Law has improved outcomes for consumers who receive AOT treatment, as studied by the 2009 evaluation conducted by Duke University on the effectiveness of Kendra's Law called "New York State Assisted Outpatient Treatment Program Evaluation." However, the report failed to prove that court-ordered treatment was more effective than voluntary programs. A systematic comparison of involuntary versus voluntary participation was required by the statute which extended the sunset date of Kendra's Law from 2005 to 2010. Although almost half of AOT recipients receive services voluntarily, the Duke study could not evaluate the efficacy of voluntary alternatives in comparison to involuntary models. The report stated that only a limited amount of data was available. Results were inconclusive.

We believe that passage of a time limited extender (A. 10790 / S. 7254), will allow for New York State to continue its analysis of the AOT program. By extending Kendra's law, rather than making it permanent, New York State can scientifically examine the usefulness of court-ordered participation in relation to voluntary types of programs. We also urge the State to investigate further the geographic discrepancies and overrepresentation of racial minorities that currently exist in the implementation of the AOT program.

The Coalition opposes bill number A. 10421 / S. 7596, as it would make AOT permanent without a complete evaluation of the effectiveness of involuntary programs in comparison to voluntary ones. Instead, we support extending the sunset of Kendra's law for an additional 5 years, as proposed in bill number A. 10790 / S. 7254.

The Coalition is the umbrella nonprofit, (501)(c)(3), association and public policy advocacy organization of New York's behavioral health providers, representing over 100 non-profit behavioral health agencies. Taken together, these agencies serve more than 450,000 adults and children and deliver the entire continuum of behavioral health care in every neighborhood of a diverse metropolitan New York City.