

14 NYCRR Part 815
Patient Rights

(Statutory Authority: Mental Hygiene Law, §§ 19.07(c) and (e), 19.09(b), 19.20, 19.20-a, 19.21(b), 22.03, 22.07, 32.01, 32.07(a), 32.05; Social Services Law § 492; Protection of People with Special Needs Act (Chapter 501 of the Laws of 2012))

§ 815.1 is amended to read as follows:

This Part sets forth minimum standards to protect patient rights. For purposes of this Part, a patient is a person receiving services from a provider certified, **funded or otherwise authorized** [~~authorized, licensed, funded or operated~~] by the Office. The term “patient” as used in this Part includes, but is not limited to, terms such as “client”, “resident”, “consumer”, “customer”, “participant” or such other term which applies to a current or former service recipient.

§815.3 is amended to read as follows:

This Part applies to any provider currently certified, **funded or otherwise authorized** [~~authorized, licensed, operated or funded~~] by OASAS to provide addiction services.

A new subdivision (r) is added to §815.4 to read as follows:

(r) Providers shall develop and implement policies and procedures to ensure the provision of culturally competent and affirming services for patients consistent with their sexual orientation and gender identity or expression.

New paragraphs (19) and (20) are added to subdivision (a) of § 815.5 to read as follows:

(19) Patients have the right to placement in gender segregated settings based on their gender identity or expression.

(20) Patients have the right to culturally competent and affirming care and to be free from harassment and/or discrimination based on their sexual orientation or their gender identity or expression.