



Office of Mental Health

ANDREW M. CUOMO

Governor

ANN MARIE T. SULLIVAN, M.D.

Commissioner

MARTHA SCHAEFER

Executive Deputy Commissioner

May 16, 2016

Dear Colleague:

The Justice Center has recently revised the Code of Conduct required by the Protection of People with Special Needs Act. A copy of the revised Code of Conduct is attached to this Memorandum. The revisions of the Code of Conduct are generally non-substantive, but help to clarify custodian's obligations under the Code of Conduct.

The Code of Conduct must be read and signed by any "custodian" who has regular and substantial contact with people who have special needs covered by the Act. Such custodians must be provided with a copy of the Code of Conduct at the time of their initial employment, and at least annually thereafter, and are required to acknowledge that they have read and understand the Code of Conduct.

The attached Code of Conduct is required to be read and signed at least annually by all custodians. Existing Custodians must read and sign by August 31, 2016 and all other custodian must read and sign at the time of employment or affiliation. In addition, supervisors and administrators who do not have regular and substantial conduct with people who receive services should also familiarize themselves with this Code of Conduct. As with the original Code of Conduct, the newly-executed Code of Conduct should be maintained in a place where it is accessible to investigators and/or State Oversight Agency surveyors/auditors.

Thank you for your attention to this important matter.

Sincerely,

Christopher Tavella, Ph.D.
Deputy Commissioner
Division of Quality Management