

Parental consent for minors out of mental health bill

By GEOFFREY TAYLOR

ALBANY, N.Y. (AP) — Legislation eliminating an absolute requirement of parental consent before minors may receive mental health services was signed into law by Gov. Mario Cuomo yesterday.

The bill was one of several measures Cuomo announced designed to improve the state's mental health services.

"The nature of mental illness," Cuomo said, "renders an absolute requirement of parental consent unreasonable and potentially detrimental to the welfare of certain children."

"As an extreme example," the governor noted, "a child who has been the victim of abuse by his or her parents could not be expected to seek or gain their permission when seeking treatment for the inevitable emotional problems resulting from the abuse."

In the absence of legal guidelines where parental consent may not be required, mental health officials have been "uncertain" about what their obligations were, Cuomo said.

Parental consent, the governor cautioned, will still be required before most mental health services are provided to a minor.

However, under terms of the new law, parental consent will not be required in cases "where mental health services are necessary to the minor's well-being and where requiring parental consent would be detrimental to the minor," Cuomo said.

The governor yesterday also announced he had appointed a 16-member **Select Commission on the Future of the State-Local Mental Health System** as a first

step toward restructuring mental health programs in New York State.

Cuomo appointed Jerome Goldsmith, executive vice president of the Jewish Board of Children and Family Services, as the commission's chairman.

The commission was charged with recommending improvements in local and state mental health programs and to develop short-term recommendations to ease overcrowding in municipal and state psychiatric inpatient units in New York City.

Besides taking action on the parental consent measure and appointing a new panel, the governor also signed two other bills.

One of the measures eliminates a requirement that mentally disabled persons be released from state institutions before they may qualify for fully state-funded public assistance and Medicaid benefits in family care homes.

That new law encourages those disabled persons to be admitted directly to family care homes by allowing them to receive benefits without having to be first admitted to a state mental hygiene institution.

A third bill signed into law strengthens the enforcement powers of the state Office of Mental Retardation and Developmental Disabilities over the regulation of "non-institutional services" for the mentally retarded, such as community residences and workshops.