

BUDGET, FINANCE, & PERSONNEL

RESOLUTION NO. 2026032

RE: AMENDING THE 2026 ADOPTED COUNTY BUDGET AS IT
PERTAINS TO THE ASSISTED OUTPATIENT TREATMENT
PROGRAM AND THE DEPARTMENT OF MENTAL HEALTH

Legislators VALDÉS SMITH, ATKINS, POLASEK, BRENDLI, CASWELL, DRAGO, KAUL, KEARNEY, LAWLER, REDL, RHODES, SHAH and WINSBY offer the following and move its adoption:

WHEREAS, the Department of Mental Health ("DMH") has advised that New York State Office of Mental Health ("NYS OMH") enacted the FY 2025-2026 Budget, which includes \$16.5 million in new State Aid to local governments to strengthen and enhance the Assisted Outpatient Treatment ("AOT") programs statewide, and

WHEREAS, this funding initiative is intended to improve outcomes for individuals with complex behavioral needs by increasing voluntary engagement, strengthening risk management, and enhancing coordination among counties, service providers, hospitals, courts, law enforcement, and emergency response systems, and

WHEREAS, NYS OMH guidance requires that counties utilize this funding to employ at least one (1) Full-Time Equivalent ("FTE") to support AOT program enhancements, and

WHEREAS, this position will be fully supported by NYS OMH AOT State Aid and reported in accordance with required Consolidated Fiscal Reporting ("CFR") guidelines, and

WHEREAS, it is necessary to amend the 2026 Adopted County Budget to provide funds to authorize the hiring of one (1) Full-Time Equivalent (FTE) Behavioral Health Specialist I position to meet the County's obligation under NYS OMH AOT program guideline requirements, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2026 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.4320.44.1010.1030	Positions Temp Help	\$71,640
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REVENUES

Increase

A.4320.44.34900.02	Mental Health SA Claim	\$71,640
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CA-018-26; CRC/rjw; G-1922; 01/30/2026; Fiscal Impact: See Attached.

STATE OF NEW YORK

SS:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess, have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of June, 2026, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 11th day of June, 2026.

APPROVED
Susan J. Serino
SUSAN J. SERINO
COUNTY EXECUTIVE



Julie Hiroishi
JULIE HIROISHI, CLERK OF THE LEGISLATURE

Date March 12, 2026

Roll Call Sheets

District	Last Name	YES	NO
District 16 - Fishkill and Beacon	Valdés Smith	✓	
District 9 - City of Poughkeepsie	Atkins	✓	
District 20 - Red Hook, Tivoli, and Rhinebeck	Munn	✓	
District 3 - LaGrange	Polasek		absent
District 12 - East Fishkill	Metzger	✓	
District 1 - Town of Poughkeepsie	Redl	✓	
District 2 - LaGrange, Pleasant Valley & Town of Poughkeepsie	Arnoff	✓	
District 4 - Hyde Park and Town of Poughkeepsie	Lawler	✓	
District 5 - Town of Poughkeepsie	Shah	✓	
District 6 - Town of Poughkeepsie	Kaul	✓	
District 7 - Hyde Park and Pleasant Valley	Darrow	✓	
District 8 - City and Town of Poughkeepsie	Brendli	✓	
District 10 - City of Poughkeepsie	Johnson		absent
District 11 - Clinton, Pleasant Valley, and Rhinebeck	Kearney	✓	
District 13 - East Fishkill and Wappinger	Giles	✓	
District 14 - Wappinger and Town of Poughkeepsie	Winsby	✓	
District 15 - Wappinger	Faust	✓	
District 17 - Town and Village of Fishkill	McHoul	✓	
District 18 - City of Beacon and Fishkill	Rhodes	✓	
District 19 - North East, Stanford, Pine Plains, Milan & Red Hook	Drago	✓	
District 21 - East Fishkill	Caswell	✓	
District 22 - Beekman and Union Vale	Tresca	✓	
District 23 - Pawling, Beekman and East Fishkill	Rolison		absent
District 24 - Dover and Pawling	House		absent
District 25 - Amenia, Washington, Pleasant Valley & Millbrook	Alexander		absent
Present: <u>20</u>	Resolution: _____	Total: <u>20</u>	<u>0</u>
Absent: <u>5</u>	Motion: <u>Atkins / Munn</u>	Yes	No
Vacant: <u>0</u>		Abstentions: _____	

CONSENT AGENDA

- 2026025 - Bond Resolution Dated March 9, 2026
- 2026031 - Amending the 2026 Adopted County Budget (Opioid Settlement Fund)
- 2026032 - Amending the 2026 Adopted County Budget (OSF - Assisted Outpatient Treatment)
- 2026036 - Authorizing Amendment of Funding Under Trade Adjustment Act
- 2026040 - Acquire Real Property Owned by Obsidian
- 2026041 - Maintenance Agreement with Town of Amenia and Harlem Valley Rail Trail
- 2026042 - Persons Required to File and Annual Statement of Financial Disclosure

SUE SERINO
COUNTY EXECUTIVE



JEAN-MARIE NIEBUHR, LCSW-R
COMMISSIONER

DUTCHESS COUNTY GOVERNMENT
DEPARTMENT OF MENTAL HEALTH

MEMORANDUM

To: Sue Serino, Dutchess County Executive
FROM: Sean Griffin, Director of Budget and Finance - DMH
DATE: January 29, 2026
SUBJECT: Resolution Request – Amending 2026 Budget to recognize and appropriate additional AOT State Aid

The purpose of this resolution is to authorize the hiring of one (1) Full-Time Equivalent (FTE) Behavioral Health Specialist I position within the Department of Mental Health to support the administration, oversight, and enhancement of the Assisted Outpatient Treatment (AOT) program, as required under recently issued guidance from the New York State Office of Mental Health (OMH).

In May 2025, the New York State Legislature enacted the FY 2025–26 Budget, which included \$16.5 million in new State Aid to local governments to strengthen and enhance AOT programs statewide. This funding initiative is intended to improve outcomes for individuals with complex behavioral health needs by increasing voluntary engagement, strengthening risk management, and enhancing coordination among counties, service providers, hospitals, courts, law enforcement, and emergency response systems.

OMH guidance requires counties to utilize this funding to employ at least one (1) FTE to support AOT program enhancements. This position will be fully supported by New York State Office of Mental Health AOT State Aid and reported in accordance with required Consolidated Fiscal Reporting (CFR) guidelines.

Please do not hesitate to contact me if you have any questions or concerns.

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 71,640

Total Current Year Revenue \$ 71,640
and Source

NYS OMH State Aid

Source of County Funds (check one): ☐ Existing Appropriations, ☐ Contingency,
☐ Transfer of Existing Appropriations, ☒ Additional Appropriations, ☐ Other (explain).

Identify Line Items(s):

A.4320.44.1010.1030 - \$71,640 (Positions Temporary Help)
A.4320.44.34900.02 - \$71,640 (Mental Health State Aid Claims)

Related Expenses: Amount \$ _____

Nature/Reason: _____

Anticipated Savings to County: _____

Net County Cost (this year): \$ 0
Over Five Years: _____

Additional Comments/Explanation:

Approval of this resolution will authorize the hiring of one (1) Full-Time Equivalent (FTE) Behavioral Health Specialist I position within the Department of Mental Health to support the Assisted Outpatient Treatment (AOT) program. The costs associated with this position will be fully funded through New York State Office of Mental Health (OMH) AOT State Aid made available under the FY 2025–26 New York State Budget. Approval of this resolution will result in no additional cost to Dutchess County.

Behavioral Health Specialist I - Grade 15

Prepared by: Sean Griffin, Director of Budget and Finance

Prepared On: 1/29/2026



Office of Mental Health

Assisted Outpatient Treatment State Aid Guidance Assisted Outpatient Treatment 170-A

In May of 2025, the New York State Legislature enacted the FY 2025–26 Budget, that included \$16.5 million in state aid to localities with the goal of increasing the opportunity for Enhanced Voluntary Agreements (EVA's) and enhancing quality oversight and administration of NYS Assisted Outpatient Treatment (AOT) "Kendra's Law" program. This includes working in partnership with the local government unit (LGU) and community supports and services to decrease high risk events, increase efficiency of outdated infrastructure, increase voluntary participation and improve individual outcomes.

Since the inception of the program in 1999, counties have received an annual investment from OMH to administer their AOT program and support community services as required in statute. Pursuant to Mental Hygiene Law Sections 9.47 and 9.48, counties are required to administer and oversee services for individuals under an AOT order. This funding will remain a critical support for ongoing monitoring of complex needs populations, risk management, service coordination and all other AOT LGU activities as outlined in statute, legislation and guidance from New York State Office of Mental Health (NYS OMH).

The addition of new dollars in the 2025 budget initiative allows the State and County to fill critical roles in the implementation and oversight of the AOT program to improve outcomes for individuals served. With a growing behavioral health services infrastructure, and an emphasis on a recovery-oriented approach to service delivery, diversionary opportunities and improved coordination of care will be necessary. This new initiative is intended to introduce Enhanced Voluntary Agreements (EVAs) as a statewide option and improve service coordination in communities across New York State, including efforts with hospitals, treatment providers, courts, local law enforcement agencies and emergency response stakeholders. Such funding will require and empower Counties to offer the opportunity for Enhanced Voluntary Agreements (EVAs) in accordance with guidelines established by OMH, as a part of every County AOT plan. Counties must demonstrate increased availability for EVAs and demonstrate improvements to their local risk management approaches.

OMH will allocate funding to each Local Government Unit (LGU) to:

- Develop and Implement Enhanced Voluntary Agreement (EVA) policy and procedure consistent with OMH issued guidance. Key elements of the EVA policy will include:
 - County tracking and monitoring plan for individuals on EVAs including technical assistance for providers and EVA utilization in accordance with any OMH issued guidance
 - A county staffing plan to outline EVA related tasks including budget allocation
 - Policies and procedures outlining follow up and care coordination activities for individuals on or stepping down from EVA.
- Ensure the County AOT Policy and Procedure manual is kept up to date, with at least annual updates, to include the most current required county activities and

policies and procedures, including but not limited to the following requirements and best practices:

- Ensure Local practices are aligned with current NYS MHL 9.60 statutory language including amendments with county attorney review.
 - Ensure Timely Investigation policy and procedure that reflects the statewide threshold of 6 months/180 days, as outlined in AOT Guidance found here: [NYS Timely Investigation Policy](#)
 - Establish a weekly reporting process for all care management providers to the county for purposes of supporting and monitoring progress/ status of persons under AOT orders.
 - Local service verification procedure to ensure services are being provided to AOT recipients according to AOT orders and are appropriately supporting AOT recipients in their recovery.
 - Transfer policy that reflects the process of sending and accepting transfers of recipients under AOT orders to and from other counties.
 - County AOT/EVA Staffing and budget plan.
- Submit all AOT/EVA related data to OMH, as requested.
 - Communicate training and technical assistance needs to regional OMH AOT leads.
 - Establish or maintain a local service and support committee focused on collaboration and coordination with mental health providers, emergency services, local hospital, ERs and other local stakeholder groups interfacing with complex needs populations to improve individual outcomes (i.e., decrease emergency room use, increase voluntary services coordination/participation) with a focus on clinical care recovery and individual needs.
 - Ensure access and appropriate allocation of ACT and Care Management Consumer Service Dollars to support short-term or emergent social care related needs of AOT recipients, including but not limited to household items or other needs associated with housing or shelter, transportation or food. Guidance for use of service dollars is outlined on the OMH website: [Consumer Service Dollars](#). Counties will work with service providers to ensure appropriate use of dollars and understand most significant local needs.

In order to implement these objectives, the counties must use these dollars (2310) to:

- Employ at least 1 Full Time Employee (FTE), at the county or by contract, to serve as a complex care expert who will:
 - Work with existing County AOT staff to implement the County AOT plan including new policy and procedures related to EVAs and other required AOT program enhancements.
 - Coordinate care with AOT and EVA service providers, local hospitals, OMH and all other AOT/EVA stakeholders.
 - Ensure collaborative agreements are in place with hospitals in support of improved discharge planning for individuals being considered for AOT or EVA.
 - Provide technical assistance to providers supporting individuals on EVAs.
 - Monitor county utilization of EVA vs. AOT

- Work with local law enforcement to ensure appropriate use of removals and coordination of crisis responses.

A budget and staffing plan for this funding will reflect time spent on EVA tracking, monitoring, coordination of care.

*Exception for 1 FTE will be considered for the smallest counties where a partial FTE may be warranted. Counties must contact the OMH Field Office for such requests with an explanation of how all AOT/EVA requirements will be met absent this FTE.

In addition, counties may use this funding to support other costs of operating the AOT/EVA management including:

- AOT program administration related expenses including:
 - AOT psychiatric evaluations
 - AOT related court fees
 - Technology related to care coordination, transmission of AOT orders/EVA's or related data
- Costs of facilitation of case consultations or stakeholder meetings to address complex care needs of individuals served under AOT or EVA or individuals who may be considered for AOT or EVA but may instead be effectively diverted to voluntary services.

If AOT/EVA infrastructure is in place and related local needs are met, a county may seek approval from OMH to use underspend on related expenses and direct services for complex needs populations. The county will contact the OMH Field Office for approval of alternative or related spending including:

- Supporting the provision of services for individuals with complex needs (i.e. increasing service dollars for an ACT team).
- Outreach and engagement for complex needs populations.
- Transportation, employment, or housing related expenses for complex needs populations that is not already funded.
- Crisis services coordination or management across counties or regions that is not already funded.

Maintenance of Effort Requirement:

LGUs are expected to maintain funding levels for the AOT ("Kendra's Law") program in place prior to this new allocation of funds. As described above, the new funding is meant to enhance existing resources and is not an opportunity to re-direct existing county support for AOT activities.

Reporting Requirements:

An annual report will be required to track categories of spend/underspend as well as programmatic deliverables. To note:

- AOT infrastructure money should be reported on the CFR under program code 2310.

- Funds given in 170A will not be eligible to be used in program code 0890-LGU Administration.
- Please reach out to your field offices to request appropriate underspend use.
- Tracking use of EVA and any issues or problems associated and outcome measures will be required.

Budget, Finance, and Personnel Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 16 - Fishkill and Beacon	Valdés Smith*	X	
District 9 - City of Poughkeepsie	Atkins*	X	
District 20 - Red Hook, Tivoli, and Rhinebeck	Munn*	X	
District 3 - LaGrange	Polasek*	X	
District 12 - East Fishkill	Metzger*	X	
District 1 - Town of Poughkeepsie	Redl (VC)		ABSENT
District 4 - Hyde Park and Town of Poughkeepsie	Lawler (C)	X	
District 7 - Hyde Park and Pleasant Valley	Darrow	X	
District 8 - City and Town of Poughkeepsie	Brendli	X	
District 10 - City of Poughkeepsie	Johnson		ABSENT
District 18 - City of Beacon and Fishkill	Rhodes	X	
District 21 - East Fishkill	Caswell	X	
Present: <u>10</u>		Resolution: <u> </u>	
Absent: <u>2</u>		Motion: <u> </u>	
Vacant: <u> </u>		Total : <u>10</u>	
		Yes	No
		Abstentions: <u> </u>	

2026032 AMENDING THE 2026 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE ASSISTED OUTPATIENT TREATMENT PROGRAM AND THE DEPARTMENT OF MENTAL HEALTH

Roll Call Sheets

District	Last Name	YES	NO
District 16 - Fishkill and Beacon	Valdés Smith	X	
District 9 - City of Poughkeepsie	Atkins	X	
District 20 - Red Hook, Tivoli, and Rhinebeck	Munn	X	
District 3 - LaGrange	Polasek		ABSENT
District 12 - East Fishkill	Metzger	X	
District 1 - Town of Poughkeepsie	Redl	X	
District 2 - LaGrange, Pleasant Valley & Town of Poughkeepsie	Arnoff	X	
District 4 - Hyde Park and Town of Poughkeepsie	Lawler	X	
District 5 - Town of Poughkeepsie	Shah	X	
District 6 - Town of Poughkeepsie	Kaul	X	
District 7 - Hyde Park and Pleasant Valley	Darrow	X	
District 8 - City and Town of Poughkeepsie	Brendli	X	
District 10 - City of Poughkeepsie	Johnson		ABSENT
District 11 - Clinton, Pleasant Valley, and Rhinebeck	Kearney	X	
District 13 - East Fishkill and Wappinger	Giles	X	
District 14 - Wappinger and Town of Poughkeepsie	Winsby	X	
District 15 - Wappinger	Faust	X	
District 17 - Town and Village of Fishkill	McHoul	X	
District 18 - City of Beacon and Fishkill	Rhodes	X	
District 19 - North East, Stanford, Pine Plains, Milan & Red Hook	Drago	X	
District 21 - East Fishkill	Caswell	X	
District 22 - Beekman and Union Vale	Tresca	X	
District 23 - Pawling, Beekman and East Fishkill	Rolison		ABSENT
District 24 - Dover and Pawling	House		ABSENT
District 25 - Amenia, Washington, Pleasant Valley & Millbrook	Alexander		ABSENT

Present:	<u>20</u>	Resolution:	<u> </u>	Total :	<u>20</u>	<u> </u>
Absent:	<u>5</u>	Motion:	<u> </u>		Yes	No
Vacant:	<u> </u>			Abstentions:	<u> </u>	

CONSENT AGENDA: AMEND SOMETHING PREVIOUSLY ADOPTED (JANUARY 20, 2026 BOARD MEETING MINUTES); RESOLUTION 2026025, 031, 032, 036, 040, 041, 042