



Office of Mental Health

KATHY HOCHUL
Governor

ANN MARIE T. SULLIVAN, M.D.
Commissioner

TO: NYS Article 31 Mental Health Provider Agencies
NYS Article 28 Hospital Provider Agencies
OMH-Operated Psychiatric Center Executive Directors, Quality and Risk Management Directors

FROM: Office of Quality Improvement, Office of Mental Health

DATE: July 30, 2026

SUBJECT: Jonathan's Law Requirements

We are sending out this reminder on Jonathan's Law to correspond with our recent guidance release and the integration of Jonathan Law requirements in the New York State Incident Management Reporting System (NIMRS). Jonathan's Law is a New York State law (MHL 33.23 & 33.25) that helps ensure individuals and families are informed when incidents occur that affect the health or safety of a person receiving services. Facilities operated, licensed, or certified by the Office of Mental Health (OMH) must follow the requirements of Jonathan's Law.

When an incident affects a patient's health or safety, or a reportable incident occurs involving an **allegation of abuse or neglect, wrongful conduct, missing patient, or death**, the provider must notify the qualified person. In addition, a patient or qualified person has the right to request a meeting with the provider, as well as certain documents pertaining to the investigations of reportable incidents. Explanation of these rights shall be provided to the patient and qualified person in writing upon admission.

A Qualified Person (QP) is defined as:

- A parent or other legal guardian of a minor.
- Parent, legal guardian, spouse, adult siblings or adult children of adults who are legally authorized to make health care decisions on behalf of the individual.
- An individual over the age of 18, who has not been determined by a court to be legally incompetent.

What notifications are required? Within 24 hours of an incident occurring:

- The provider must notify the Qualified Person of the incident by phone.

Upon verbal request from the Qualified Person:

- The provider shall promptly provide a copy of the written incident report (with redaction).
- The provider shall meet with the qualified person to discuss the incident.
- The provider shall, within 10 calendar days, send the QP a written report on the actions taken to address the incident. (Actions Taken Report, available in NIMRS)

[Jonathan's Law Guidance for Individuals and Families](#) and [Jonathan's Law Guidance for Providers](#) can be found on the [CRM Website](#).

[How to Complete a Jonathan's Law Entry in NIMRS](#) can be found on the [NIMRS Learning Center](#)

Please feel free to contact the Office of Quality Improvement with any questions at 518-474-3619 or at dqm@omh.ny.gov