



Mental Hygiene Law Article 9 Changes and Form Updates
Frequently Asked Questions
Updated May 2026

Under Article 9 of the New York State Mental Hygiene Law, peace officers, police officers, county Directors of Community Services, and qualified clinicians on approved mobile crisis teams are authorized to facilitate trauma-informed emergency assessment and transport when an individual appears to be experiencing symptoms of a mental illness and is conducting themselves in a manner likely to result in serious harm to themselves or others. August 2025 updates to New York State’s Mental Hygiene law clarify when individuals may be involuntarily taken to an emergency department for evaluation or admitted to an inpatient psychiatric program due to their inability to provide for their own essential needs and the likelihood of this resulting in them experiencing serious harm. OMH [issued guidance](#) on these changes and has now revised the relevant forms to reflect the updated law.

In parallel, forms relating to voluntary requests for CPEP and inpatient psychiatry admission have also been modernized. At all times, voluntary assessment, transport, and admission should be fully explored and discussed with individuals. Emergency assessment and transport and involuntary admission should be used only in cases in which voluntary engagement is not possible despite exploring all possible avenues.

Every effort must be made to minimize potential trauma and impact. Intensive and voluntary engagement, including with mental health peer workers as applicable and available, is a best practice.

This document answers Frequently Asked Questions about the updates. It will be updated routinely as additional questions are received, and answers are reviewed and approved.

General Questions

Where can I find the updated Article 9 Forms from OMH?	All updated Article 9 forms are posted on the OMH forms website: https://omh.ny.gov/omhweb/forms/
Where can I find the OMH Guidance website?	The OMH Guidance website can be found at https://omh.ny.gov/omhweb/guidance/
OMH updated guidance in August 2025 for the involuntary and custodial transportation of individuals for emergency assessments and for emergency and involuntary inpatient psychiatric admissions. Where can I find it?	This guidance may be found in the “Hospital/Crisis/Emergency” section of the OMH Guidance website. It can also be found at https://omh.ny.gov/omhweb/guidance/interpretative-guidance-involuntary-emergency-admissions.pdf
OMH updated guidance in table format in April 2026 on the different transport and civil voluntary and involuntary admissions statutes. Where can I find it?	This guidance may be found in the “Hospital/Crisis/Emergency” section of the OMH Guidance website. It can also be found at https://omh.ny.gov/omhweb/guidance/transport-civil-voluntary-involuntary-admissions-statutes.html
Are electronic signatures permitted on updated Article 9 forms?	MHL Article 9 forms may be completed and signed electronically, pursuant to the Electronic Signatures and Records Act, including via a provider’s electronic health record.



	Providers must ensure the forms can be printed and/or delivered in the approved format to the admitting hospital, appropriate Court, Mental Hygiene Legal Services, and other approved recipients.
How long can the old version of the MHL Article 9 forms be used? Are we allowed to receive transfers from other providers using outdated versions of the forms?	OMH updated most OMH Article 9 Forms because of recent changes to Mental Hygiene Law. There is no hard deadline for adoption of the new forms. OMH encourages the field to implement the new forms as soon as possible, including in electronic health records.
Will the OMH Print Shop continue to supply MHL Article 9 Forms?	The updated forms are available on the OMH Forms website for printing or to be used electronically. The OMH Print Shop will continue to supply the old versions of the forms while supplies last.

Provisions in MHL for Transport to Hospitals

What is a §9.39 Emergency Department (ED) or a §9.39 Hospital?	A §9.39 hospital is a hospital that can admit individuals on a MHL §9.39 Emergency Admission status. Generally, this means a hospital that has an inpatient psychiatric unit. A §9.39 Emergency Department (ED) is an ED located in a §9.39 hospital. These terms are often used interchangeably.
What is a Comprehensive Psychiatric Emergency Program (CPEP)?	A Comprehensive Psychiatric Emergency Program (CPEP) is a hospital-based, 24/7 crisis center providing immediate psychiatric evaluation, stabilization, and referrals. It acts as a primary entry point for mental health emergencies, offering rapid, secure care to adults and children. Individuals may stay up to 72 hours in extended observation beds, often ensuring that lengthier inpatient psychiatric admissions are not necessary. CPEPs also offer mobile crisis services.

Provisions in MHL for Involuntary and Emergency Admissions

The Notice of Status and Rights forms for involuntary and emergency admissions are not posted. Are they no longer necessary?	The Notice of Status and Rights forms for MHL §§ 9.27, 9.37, 9.39, and 9.40 admissions are still being updated. They will be posted on the OMH Forms website when they have been translated into NYS's 12 most commonly spoken languages. In the meantime, EDs, CPEPs, and inpatient programs may continue to use the old forms.
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