

EXECUTIVE ORDER No. 101

July 18, 2007

TRANSFER TO NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL
HYGIENE OF CERTAIN FUNCTIONS AT THE NEW YORK CITY HEALTH AND
HOSPITALS CORPORATION

By the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Effective September 30, 2007, or as soon as practicable thereafter as a transfer may be effectuated pursuant to the terms and conditions of a duly executed memorandum of understanding between the New York City Department of Health and Mental Hygiene (“DOHMH”) and the New York City Health and Hospitals Corporation (“HHC”), except as provided in section 2 of this Order, all HHC staff who are substantially engaged in the function of assisting DOHMH in its administration of the Early Intervention Program in accordance with Title II-A of Article 25 of the New York Public Health Law and section 556 of the New York City Charter or in its administration of other DOHMH programs shall be transferred to DOHMH.

§ 2. HHC staff who are substantially engaged in the function of assisting DOHMH in the administration of the Assisted Outpatient Treatment program in accordance with sections 9.60 and 41.13 of the Mental Hygiene Law shall not be transferred, unless such staff are substantially engaged in assisting DOHMH in overseeing and analyzing HHC’s provision of such assistance.

§ 3. The Commissioner of Citywide Administrative Services and the Commissioner of DOHMH shall take all steps necessary, consistent with applicable law, to implement sections 1 and 2 of this Order, including ensuring the transfer of necessary employees substantially engaged in the performance of the functions to be assumed pursuant to this Order. Employees who are subject to pending disciplinary charges on the date of the functional transfer, or against whom a disciplinary penalty has been assessed but not yet served or paid on or prior to such date, shall be retained in the employment of HHC until the resolution of the adjudicative or administrative proceedings and until any outstanding disciplinary penalty has been served or paid.

§ 4. With the purpose of ensuring continuity in operation of the functions described in section 1, DOHMH and HHC may make appropriate arrangements, prior to

the date of the functional transfer, with respect to appropriate disposition of contracts and agreements entered into by HHC in relation to the functions being transferred and any other appropriate matters, including but not limited to budgetary arrangements.

§ 5. This Order shall take effect immediately.

Michael R. Bloomberg
Mayor