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2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. HASSELL-THOMPSON, DIAZ, DUANE, HUNTLEY, KRUEGER, OPPENHEIMER, PARKER, PERKINS, SAMPSON, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to training regarding domestic violence

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph a of subdivision 3 of section 6507 of the educa-
2 tion law, as amended by chapter 356 of the laws of 2006, is amended to
3 read as follows:
4 a. Establish standards for preprofessional and professional education,
5 experience and licensing examinations as required to implement the arti-
6 cle for each profession. Notwithstanding any other provision of law, the
7 commissioner shall establish standards requiring that all persons apply-
8 ing, on or after January first, nineteen hundred ninety-one, initially,
9 or for the renewal of, a license, registration or limited permit to be a
10 physician, chiropractor, dentist, registered nurse, podiatrist, optome-
11 trist, psychiatrist, psychologist, licensed master social worker,
12 licensed clinical social worker, licensed creative arts therapist,
13 licensed marriage and family therapist, licensed mental health counse-
14 lor, licensed psychoanalyst, or dental hygienist shall, in addition to
15 all the other licensure, certification or permit requirements, have
16 completed [two] THREE hours of coursework or training regarding the
17 identification and reporting of child abuse [and], maltreatment, AND
18 DOMESTIC VIOLENCE. The coursework or training shall be obtained from an
19 institution or provider which has been approved by the department to

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 provide such coursework or training. The coursework or training shall
2 include information regarding the physical and behavioral indicators of
3 child abuse [and], maltreatment, AND DOMESTIC VIOLENCE and the statutory
4 reporting requirements set out in sections four hundred thirteen through
5 four hundred twenty of the social services law, including but not limit-
6 ed to, when and how a report must be made, what other actions the repor-
7 ter is mandated or authorized to take, the legal protections afforded
8 reporters, and the consequences for failing to report. THE COMMISSIONER
9 SHALL ESTABLISH STANDARDS REQUIRING THAT BEGINNING JANUARY FIRST, TWO
10 THOUSAND THIRTEEN, ONE HOUR OF THE THREE COURSEWORK OR TRAINING HOURS
11 SHALL INCLUDE INFORMATION REGARDING THE RELATIONSHIP BETWEEN CHILD
12 ABUSE, MALTREATMENT, AND DOMESTIC VIOLENCE AND THE IDENTIFICATION OF
13 BEHAVIORAL AND PHYSICAL INDICATORS OF DOMESTIC VIOLENCE AS DEFINED IN
14 SECTION FOUR HUNDRED FIFTY-NINE-A OF THE SOCIAL SERVICES LAW. Such
15 coursework or training may also include information regarding the phys-
16 ical and behavioral indicators of the abuse of individuals with mental
17 retardation and other developmental disabilities and voluntary reporting
18 of abused or neglected adults to the office of mental retardation and
19 developmental disabilities or the local adult protective services unit.
20 Each applicant shall provide the department with documentation showing
21 that he or she has completed the required training. The department shall
22 provide an exemption from the child abuse [and], maltreatment, AND
23 DOMESTIC VIOLENCE training requirements to any applicant who requests
24 such an exemption and who shows, to the department's satisfaction, that
25 there would be no need because of the nature of his or her practice for
26 him or her to complete such training;
27 S 2. This act shall take effect immediately.