

S T A T E O F N E W Y O R K

4176--B

2013-2014 Regular Sessions

I N S E N A T E

March 13, 2013

Introduced by Sens. VALESKY, AVELLA, ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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 exempt persons under the profession of psychology

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

1 Section 1. Section 7605 of the education law is amended by adding a
2 new subdivision 11 to read as follows:
3 11. THE CONDUCT, ACTIVITIES OR SERVICES OF AN INDIVIDUAL TO ADMINISTER
4 AND SCORE STANDARDIZED OBJECTIVE (NON-PROJECTIVE) PSYCHOLOGICAL OR
5 NEUROPSYCHOLOGICAL TESTS WHICH HAVE SPECIFIC PREDETERMINED AND MANUAL-
6 IZED ADMINISTRATIVE PROCEDURES WHICH ENTAIL OBSERVING AND DESCRIBING
7 TEST BEHAVIOR AND TEST RESPONSES, AND WHICH DO NOT REQUIRE EVALUATION,
8 INTERPRETATION OR OTHER JUDGMENTS; PROVIDED, HOWEVER, THAT SUCH INDIVID-
9 UAL SHALL: (I) HOLD NO LESS THAN A BACHELOR'S DEGREE IN PSYCHOLOGY OR A
10 RELATED FIELD; (II) UNDERGO A PROCESS OF TRAINING BY A LICENSED PSYCHOL-
11 OGIST, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO A MINIMUM OF EIGHTY
12 HOURS OF STUDYING AND MASTERING INFORMATION FROM TEST MANUALS, DIRECT
13 OBSERVATION OF A LICENSED PSYCHOLOGIST OR TRAINED TECHNICIAN ADMINISTER-
14 ING AND SCORING TESTS, ADMINISTERING AND SCORING TESTS IN THE PRESENCE
15 OF A LICENSED PSYCHOLOGIST OR TRAINED TECHNICIAN, AND PROFESSIONAL
16 ETHICS; (III) BE UNDER THE DIRECT SUPERVISION OF A LICENSED PSYCHOLOGIST
17 IN A NON-SCHOOL SETTING IN NO GREATER THAN A 3AGING RATIO OR THE PART
18 TIME EQUIVALENT THERETO; AND (IV) NOT SELECT TESTS, ANALYZE PATIENT DATA
19 OR COMMUNICATE RESULTS TO PATIENTS. THE SUPERVISING LICENSED PSYCHOL-
20 OGIST MUST SUBMIT, PURSUANT TO A FORM TO BE PRESCRIBED AND DEVELOPED

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

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1 WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS SUBDIVISION BY THE
2 DEPARTMENT, A SWORN STATEMENT DETAILING COMPLIANCE WITH THE ABOVE
3 REQUIREMENTS. THE LICENSED PSYCHOLOGIST'S USE OF SUCH INDIVIDUAL PURSU-
4 ANT TO THE TERMS OF THIS SUBDIVISION SHALL BE SUBJECT TO THE FULL DISCI-
5 PLINARY AND REGULATORY AUTHORITY OF THE BOARD OF REGENTS AND THE DEPART-
6 MENT PURSUANT TO THIS TITLE.

7 S 2. This act shall take effect immediately.