

STATE OF NEW YORK

8183

2025-2026 Regular Sessions

IN ASSEMBLY

May 5, 2025

Introduced by M. of A. BRONSON -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to requirements for certain mental health practitioners to be issued privilege to diagnose and develop assessment-based treatment plans

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraphs (d) and (e) of subdivision 1 of section 8401-a of the education law, as added by chapter 230 of the laws of 2022, are amended and a new paragraph (f) is added to read as follows:

(d) Experience: ~~[(i)]~~ Have completed at least two thousand hours of supervised, direct client contact that shall include, but not be limited to, diagnosis, psychotherapy and the development of assessment-based treatment plans, as defined in section eighty-four hundred one of this article, satisfactory to the department.

~~[(ii) Subparagraph (i) of this paragraph shall not apply to a mental health counselor, marriage and family therapist, or psychoanalyst who was licensed prior to June twenty fourth, two thousand twenty four, and who provides attestation, on a form prescribed by the department, from a supervisor in a facility setting or other supervised setting approved by the department under supervision in accordance with the commissioner's regulations, that such licensee has at least three years of experience engaged in direct client contact that shall include diagnosis, psychotherapy and the development of assessment-based treatment plans. Such licensee shall submit an application to the department within three years of the effective date of this section.]~~

(e) Fee: Pay a fee of one hundred ~~[seventy-five]~~ dollars for issuance of a privilege to diagnose and develop assessment-based treatment plans.

(f) Alternate requirements for certain practitioners. Notwithstanding paragraphs (c) and (d) of this subdivision, a mental health counselor, marriage and family therapist, or psychoanalyst licensed prior to June

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

LBD11683-01-5

1 twenty-fourth, two thousand twenty-seven, shall be granted the privilege
2 to diagnose and develop assessment-based treatment plans if such mental
3 health counselor, marriage and family therapist, or psychoanalyst:

4 (i) files an application with the department;

5 (ii) is licensed and registered as a mental health counselor, marriage
6 and family therapist, or psychoanalyst, and:

7 (1) provides verification of twelve credit hours of clinical course-
8 work as defined by the department from a college or university accepta-
9 ble to the department;

10 (2) provides verification of a minimum of two years of employment as a
11 licensed mental health counselor, marriage and family therapist, or
12 psychoanalyst by a licensed supervisor or colleague on forms acceptable
13 to the department, in a program or service operated, regulated, funded,
14 or approved by the department of mental hygiene, the office of children
15 and family services, the office of temporary and disability assistance,
16 the department of corrections and community supervision, the state
17 office for the aging, the department of health, or a local governmental
18 unit as such term is defined by section 41.03 of the mental hygiene law,
19 or a social services district as defined by section sixty-one of the
20 social services law; or

21 (3) provides verification of being licensed as a mental health counse-
22 lor, marriage and family therapist, or psychoanalyst for a minimum of
23 two years, and:

24 (A) provides documentation of at least six credit hours of clinical
25 coursework as defined by the department from a college or university
26 acceptable to the department; or

27 (B) provides documentation of at least twelve hours of continuing
28 education in clinical coursework subject to section eighty-four hundred
29 twelve-a of this article; and

30 (iii) pays the fee as required under paragraph (e) of this subdivi-
31 sion.

32 § 2. This act shall take effect immediately.