

STATE OF NEW YORK

607--A

Cal. No. 899

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the education law and the social services law, in relation to the licensure of dietitians and nutritionists; and to repeal certain provisions of the education law relating thereto

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

Section 1. Section 8000 of the education law, as added by chapter 635 of the laws of 1991, is amended to read as follows:

§ 8000. Introduction. This article applies to the [~~use of the titles "certified dietitian" and "certified nutritionist"~~] licensing of dietitians and nutritionists. A "licensed dietitian" shall mean a person duly licensed under this article as meeting the requirements of subdivision two of section eight thousand four of this article to practice dietetics and nutrition, which includes the practice of medical nutrition therapy. A "licensed nutritionist" shall mean a person duly licensed under this article as meeting the requirements of subdivision one of section eight thousand four of this article to practice nutrition, which includes the practice of medical nutrition therapy. All persons licensed under this article shall exercise professional judgment within the scope of their education, training, and experience, and shall make referrals to other qualified health care providers when necessary to ensure safe and comprehensive patient care. The general provision for all professions contained in article one hundred thirty of this title shall apply to this article.

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

LBD01594-02-5

§ 2. Section 8001 of the education law, as added by chapter 635 of the laws of 1991, is amended to read as follows:

§ 8001. ~~[Definitions]~~ Dietetic and nutrition practice. 1. ~~[Dietetics and nutrition are herein each defined as the integration and application of principles derived from the sciences of nutrition, biochemistry, physiology, food management and behavioral and social sciences to achieve and maintain people's health.~~

2. ~~Where the title "certified dietitian" or "certified nutritionist" is used in this article it shall mean "certified dietitian", "certified dietician", or "certified nutritionist".~~

3. ~~A certified dietitian or certified nutritionist is one who engages in the integration and application of principles derived from the sciences of nutrition, biochemistry, physiology, food management and behavioral and social sciences to achieve and maintain people's health, and who is certified as such by the department pursuant to section eight thousand four of this article. The primary function of a certified dietitian or certified nutritionist is the provision of nutrition care services that shall include:~~

~~(a) Assessing nutrition needs and food patterns;~~
~~(b) Planning for and directing the provision of food appropriate for physical and nutrition needs; and~~

~~(c) Providing nutrition counseling.] The practice of dietetics encompasses the practice of nutrition and includes providing medical nutrition therapy and advanced medical nutrition therapy delivered in-person or via telehealth, to prevent, manage, or treat chronic and acute diseases or medical conditions and promote wellness in inpatient and outpatient settings.~~

2. The practice of nutrition involves the provision of nutrition care services in-person or via telehealth, including medical nutrition therapy, limited to the prevention, management, or treatment of chronic diseases or medical conditions in outpatient settings and treatment of chronic diseases or medical conditions in outpatient settings and the promotion of wellness. The practice of nutrition shall include the ordering of oral therapeutic diets; the ordering of medical laboratory tests related to nutritional therapeutic treatments; and the provision of recommendations on vitamin, mineral, and other dietary supplements.

§ 3. Section 8002 of the education law, as added by chapter 635 of the laws of 1991, is amended to read as follows:

§ 8002. Use of titles. ~~[Only a]~~ 1. ~~No person [certified under this article shall be authorized to use the title "certified dietitian", "certified dietician", or "certified nutritionist"] may designate or hold such person out as a dietitian or use or assume the title "dietitian", "licensed dietitian", "dietician", or any other title indicating that the person is a licensed dietitian or append to or use in conjunction with that person's name the letters "LD" unless such person is licensed as a dietitian under this article.~~

2. No person may use or assume any title indicating that the person is a licensed nutritionist or append to or use in conjunction with that person's name the letters "LN" unless the person is licensed as a nutritionist under this article.

3. No person may designate or hold such person out as a nutritionist or use or assume the title "nutritionist" unless the person is licensed under this article.

§ 4. The education law is amended by adding a new section 8002-a to read as follows:

1 § 8002-a. Definitions. For the purposes of this article, the following
2 terms shall have the following meanings:

3 1. "Advanced medical nutrition therapy" means services provided by
4 licensed dietitians or qualified providers exempted under this article
5 and includes, but is not limited to, the development and ordering of
6 therapeutic diets via enteral and parenteral routes; conducting swallow
7 screens; placing nasogastric or nasoenteric feeding tubes; implementing
8 prescription drug dose adjustments under medical staff or prescriber-ap-
9 proved disease treatment protocols; ordering or discontinuing use of
10 vitamin, mineral, and other dietary supplements; and developing and
11 managing food service operations for the management or treatment of
12 diseases or medical conditions.

13 2. "Medical nutrition therapy" means the provision of nutrition
14 assessment, nutrition diagnosis, nutrition intervention, or nutrition
15 monitoring and evaluation for the purpose of management or treatment of
16 a disease or medical condition. Only a person licensed or otherwise
17 exempt under this article shall practice medical nutrition therapy or
18 offer to provide such services.

19 3. "Nutrition care services" means any part or all of the following
20 services provided within a systematic process:

21 (a) assessing and evaluating the nutritional needs of individuals and
22 groups and determining resources and constraints in a practice setting,
23 including ordering of nutrition-related laboratory tests to check and
24 track nutrition status;

25 (b) identifying nutrition problems and establishing priorities, goals,
26 and objectives that meet nutritional needs and are consistent with
27 available resources and constraints;

28 (c) creating individualized dietary plans and issuing and implementing
29 orders to meet nutritional needs of healthy individuals and individuals
30 in acute and chronic disease states, including ordering therapeutic
31 diets, and monitoring the effectiveness thereof;

32 (d) determining and providing appropriate nutrition interventions in
33 health and disease, including nutrition counseling on food and
34 prescription drug interactions;

35 (e) developing, implementing, and managing nutrition care systems; and

36 (f) evaluating, making changes in, and maintaining appropriate stand-
37 ards of quality in food and nutrition service.

38 4. "Nutrition diagnosis" in the context of the practice of dietetics
39 or the practice of nutrition means identifying and labeling nutrition
40 problems managed and treated by a licensed dietitian or licensed nutri-
41 tionist. Such diagnostic privilege is distinct from a medical diagno-
42 sis.

43 5. "Therapeutic diet" means a diet intervention prescribed by a physi-
44 cian or other authorized provider, including a licensed dietitian or,
45 for oral diets only, a licensed nutritionist. A therapeutic diet
46 provides food, fluids, or nutrients by oral, enteral, or parenteral
47 routes and is used in the treatment of a disease or clinical condition
48 to modify, eliminate, decrease, or increase specific macro- or micronu-
49 trients, or to provide mechanically altered food when medically indi-
50 cated.

51 § 5. Section 8003 of the education law, as amended by chapter 282 of
52 the laws of 1992, is amended to read as follows:

53 § 8003. State board for dietetics and nutrition. A state board for
54 dietetics and nutrition shall be appointed by the board of regents, on
55 recommendation of the commissioner, for the purpose of assisting the
56 board of regents and the department on matters of [certification] licen-

1 sure, practice, and professional conduct in accordance with section
2 sixty-five hundred eight of this ~~[chapter]~~ title.

3 ~~[The]~~ All members serving terms on the state board for dietetics and
4 nutrition on the effective date of the chapter of the laws of two thou-
5 sand twenty-five which amended this section shall continue to serve out
6 their respective terms of office until their respective successors are
7 appointed and qualified. Thereafter, the board shall consist of ~~[not~~
8 ~~less than thirteen]~~ eleven members, ~~[ten]~~ six of whom shall be ~~[certi-~~
9 ~~fied dietitians or certified nutritionists, except that the members of~~
10 ~~the first board need not be certified but shall be persons who are~~
11 ~~eligible for certification under the provisions of this article prior to~~
12 ~~their appointment to the board. The first board, with respect to~~
13 ~~members representing the profession, shall consist of five members~~
14 ~~registered by a national dietetic association having registration stand-~~
15 ~~ards acceptable to the department and five members who are members of or~~
16 ~~registered by a national nutritional association having membership~~
17 ~~and/or registration standards acceptable to the department. Thereafter,~~
18 ~~members of the profession appointed to such board shall be certified~~
19 ~~pursuant to this article]~~ licensed dietitians and two of whom shall be
20 licensed nutritionists pursuant to this article. To the extent reason-
21 able, the board of regents should insure the state board is broadly
22 representative of various professional interests within the dietetic and
23 nutritional community. ~~[Three]~~ Two members shall be representatives of
24 the general public and one member shall be a physician licensed under
25 article one hundred thirty-one of this title. Such physician member
26 shall not be a member of or credentialed by a national dietetic or
27 national nutrition association. An executive secretary to the board
28 shall be appointed by the board of regents on the recommendation of the
29 commissioner.

30 § 6. Section 8004 of the education law is REPEALED and a new section
31 8004 is added to read as follows:

32 § 8004. Requirements for professional license. 1. Each applicant for
33 a license as a licensed nutritionist shall: be at least twenty-one
34 years of age; be of good moral character, acceptable to the department;
35 submit a completed application upon a form and in such manner as the
36 board prescribes demonstrating the applicant is capable and profes-
37 sionally competent, as determined by the board, to safely engage in the
38 practice of nutrition; submit any fees as required by the board, and
39 submit proof of all of the following:

40 (a) Education: Have received a master's or doctoral degree in nutri-
41 tion or a nutrition-related science leading to competence in nutrition,
42 including medical nutrition therapy, in accordance with the commis-
43 sioner's regulations;

44 (b) Experience: Have completed a planned, continuous, supervised prac-
45 tice experience satisfactory to the board and in accordance with the
46 commissioner's regulations, provided that such experience shall require
47 demonstration of competence in nutrition, including medical nutrition
48 therapy and involve at least one thousand hours under direct supervision
49 in the following practice areas, with a minimum of two hundred hours in
50 each practice area: conducting nutrition assessment; nutrition inter-
51 vention; and nutrition monitoring and evaluation. The experience shall
52 be determined by the board to have prepared the applicant to provide
53 nutrition care services for various populations of diverse cultures,
54 genders, and across the life cycle, and to be able to competently formu-
55 late actionable medical nutrition therapies and interventions, educa-
56 tion, counseling, and ongoing care for the prevention, modulation, and

1 management of a range of chronic medical conditions within the scope of
2 nutrition; and

3 (c) Examination: Passage of a nutrition examination satisfactory to
4 the board and in accordance with the commissioner's regulations.

5 2. (a) Each applicant for a license as a licensed dietitian shall: be
6 at least twenty-one years of age; be of good moral character, acceptable
7 to the department; submit a completed application upon a form and in
8 such manner as the board prescribes demonstrating the applicant is capa-
9 ble and professionally competent, as determined by the board, to safely
10 engage in the practice of dietetics and nutrition; submit any fees as
11 required by the board; and submit proof of all of the following:

12 (i) Education: Have received a master's or doctoral degree and satis-
13 factorily completed a program of study accredited by a national dietet-
14 ics accrediting body and approved by the department in accordance with
15 the commissioner's regulations;

16 (ii) Experience: Have received a master's or doctoral degree or an
17 equivalent as determined by the department and satisfactorily completed
18 a program of study accredited by a national dietetics accreditation body
19 and approved by the department in accordance with the commissioner's
20 regulations, provided that such experience shall require demonstration
21 of competence in dietetics and nutrition, including medical nutrition
22 therapy, and consist of not less than one thousand hours under direct
23 supervision. The experience shall be determined by the board to have
24 prepared the applicant to provide nutrition care services for various
25 populations of diverse cultures, genders, and across the life cycle, and
26 to be able to competently formulate actionable medical nutrition thera-
27 pies and interventions, education, counseling, and ongoing care for the
28 prevention, modulation, and management of a range of acute and chronic
29 medical conditions within the scope of dietetics and nutrition; and

30 (iii) Examination: Passage of a dietitian examination satisfactory to
31 the board and in accordance with the commissioner's regulations.

32 (b) An application for a dietitian license submitted by individuals,
33 who prior to January first, two thousand twenty-five held registration
34 as a dietitian by a national dietetic commission that has registration
35 standards acceptable to the department, and currently holds such regis-
36 tration, is governed by the provisions of law in effect immediately
37 before the effective date of this section, and the former law is contin-
38 ued in effect for that purpose.

39 3. All applicants for licensure as a licensed nutritionist or licensed
40 dietitian shall pay a fee for an initial license, and a fee for each
41 triennial registration period.

42 § 7. Section 8005 of the education law is REPEALED.

43 § 8. Section 8006 of the education law is REPEALED and a new section
44 8006 is added to read as follows:

45 § 8006. Special conditions. 1. Any person who is licensed as a certi-
46 fied dietitian or a certified nutritionist on the effective date of the
47 chapter of the laws of two thousand twenty-five which added this
48 section, shall be licensed as a licensed dietitian without meeting any
49 additional requirements so long as they hold registration as a dietitian
50 by a national dietetic commission that has registration standards
51 acceptable to the department or have completed:

52 (a) a bachelor's or higher degree from a programmatically accredited
53 didactic program approved by the department in accordance with the
54 commissioner's regulations;

55 (b) a supervised practice experience acceptable to the board and in
56 accordance with the commissioner's regulations, provided that such expe-

1 rience consisted of satisfactory completion of a nationally accredited
2 dietetic and nutrition experience approved by the department of not less
3 than nine hundred hours; and

4 (c) passage of a dietitian examination satisfactory to the board and
5 in accordance with the commissioner's regulations.

6 2. Any person who is licensed as a certified dietitian or a certified
7 nutritionist and does not meet the requirements provided under subdivi-
8 sion one of this section on the effective date of the chapter of the
9 laws of two thousand twenty-five which added this section, shall be
10 licensed as a licensed nutritionist without meeting any additional
11 requirements.

12 § 9. The education law is amended by adding two new sections 8007 and
13 8008 to read as follows:

14 § 8007. Exemptions. This article shall not be construed to affect or
15 prevent:

16 1. A licensed physician from practicing such physician's profession as
17 defined under articles one hundred thirty-one and one hundred thirty-
18 one-B of this title; a registered professional nurse or a certified
19 nurse practitioner practicing such nurse or nurse practitioner's profes-
20 sion as defined under article one hundred thirty-nine of this title; a
21 licensed physician assistant from such physician assistant's profession
22 as defined under article one hundred thirty-one-B of this title; or
23 qualified members of other professions licensed under this title from
24 performing work incidental to the practice of their professions, except
25 that such persons may not hold themselves out under the title authorized
26 by this article;

27 2. A student, intern or resident from engaging in the practice of
28 dietetics or nutrition while participating in the education or experi-
29 ence requirements under section eight thousand four of this article, so
30 long as:

31 (a) The student or trainee who is completing their supervised practice
32 experience required under section eight thousand four of this article
33 practices under this subdivision not more than five years after complet-
34 ing education requirements under section eight thousand four of this
35 article;

36 (b) The student or trainee practices under this subdivision only while
37 supervised by a qualified supervisor as approved by the department in
38 accordance with the commissioner's regulations;

39 (c) The student or trainee does not engage in the unrestricted prac-
40 tice of medical nutrition therapy; and

41 (d) While practicing under this subdivision, the student or trainee
42 uses a title that clearly indicates such student trainee's status as a
43 student, intern, trainee, or supervisee;

44 3. A dietitian or nutritionist who is serving in the armed forces of
45 the United States or any other federal agency from engaging in the prac-
46 tice of dietetics or nutrition, or using government issued titles,
47 provided that such practice or title use is related to service or
48 employment;

49 4. A person who provides individualized nutrition recommendations for
50 the wellness and primary prevention of chronic disease, health coaching,
51 holistic and wellness education, guidance, motivation, behavior change
52 management, services for non-medical weight control, or other nutrition
53 care services so long as all of the following apply:

54 (a) The services do not constitute medical nutrition therapy;

55 (b) The person does not represent such person using titles authorized
56 under this article; and

1 (c) The person does not hold such person out as licensed or qualified
2 to engage in the practice of medical nutrition therapy;

3 5. A person who disseminates non-individualized, written, general
4 nutrition information in connection with the marketing and distribution
5 of dietary supplements, food, herbs, or food materials, including expla-
6 nations of their federally regulated label claims, any known drug-nu-
7 trient interactions, their role in various diets, or suggestions as how
8 to best use and combine them so long as such information does not
9 constitute medical nutrition therapy and the person does not use titles
10 authorized under this article or hold such person out as qualified to
11 engage in the practice of medical nutrition therapy;

12 6. A person who provides medical weight control for persons with
13 obesity as part of any of the following:

14 (a) An instructional program that has been approved in writing by one
15 of the following:

16 (i) a dietitian or nutritionist licensed in this state; or

17 (ii) a health care practitioner licensed or certified in this state
18 whose scope of practice includes medical nutrition therapy; or

19 (b) A plan of care that is overseen by a health professional licensed
20 in this state whose scope of practice otherwise authorizes the health
21 professional to provide and delegate medical nutrition therapy, so long
22 as the medical weight control services are not discretionary and do not
23 require the exercise of professional judgment;

24 7. An individual employed by a WIC program as a "competent profes-
25 sional authority" as defined in 7 C.F.R § 246.2 (1895) from providing
26 nutrition services within such WIC program. For the purpose of this
27 subdivision the term "WIC program" shall mean a program authorized by 42
28 U.S.C. § 1786;

29 8. A person who does not utilize titles authorized under this article
30 and assists the provision of medical nutrition therapy if the person
31 performs only support activities that are not discretionary and that do
32 not require the exercise of professional judgment for their performance,
33 and the person is directly supervised by a nutritionist or dietitian
34 licensed under this title; and

35 9. A person from practicing dietetics or nutrition to the extent
36 permissible within the scope of practice of such professions, by any
37 not-for-profit corporation or education corporation providing services
38 within the state of New York and operating under a waiver pursuant to
39 section sixty-five hundred three-a of this title, provided that such
40 entities offering dietetics or nutrition services shall only provide
41 such services through an individual appropriately licensed or otherwise
42 authorized to provide such services or a professional entity authorized
43 by law to provide such services.

44 § 8008. Limited permit. 1. The department may issue a limited permit
45 to practice as a provisionally licensed nutritionist or provisionally
46 licensed dietitian to an applicant for licensure who has met the educa-
47 tion and experience requirements for a licensed nutritionist or licensed
48 dietitian provided under section eight thousand four of this article.

49 2. The duration of a limited permit shall not exceed one year from the
50 time of its first issue and the department may for good cause renew a
51 limited permit for an additional one year provided that no individual
52 shall practice under any limited permit for more than a total of two
53 years.

54 3. All practice under a limited permit shall be under the supervision
55 of a dietitian licensed pursuant to this article.

1 4. All practice under a limited nutritionist permit shall be under the
2 supervision of a nutritionist or dietitian licensed pursuant to this
3 article.

4 5. The fee for a limited permit or the renewal thereof shall be seven-
5 ty-five dollars.

6 § 10. Subparagraph (i) of paragraph a of subdivision 1 of section
7 6503-a of the education law, as amended by chapter 554 of the laws of
8 2013, is amended to read as follows:

9 (i) services provided under article one hundred fifty-four, one
10 hundred fifty-seven, one hundred sixty-three or one hundred sixty-seven
11 of this title for which licensure would be required, or

12 § 11. Section 6505-b of the education law, as amended by chapter 10 of
13 the laws of 2018, is amended to read as follows:

14 § 6505-b. Course work or training in infection control practices.
15 Every dentist, registered nurse, licensed practical nurse, podiatrist,
16 optometrist ~~[and]~~, dental hygienist, licensed nutritionist, and licensed
17 dietitian practicing in the state shall, on or before July first, nine-
18 teen hundred ninety-four and every four years thereafter, complete
19 course work or training appropriate to the professional's practice
20 approved by the department regarding infection control, which shall
21 include sepsis, and barrier precautions, including engineering and work
22 practice controls, in accordance with regulatory standards promulgated
23 by the department, in consultation with the department of health, which
24 shall be consistent, as far as appropriate, with such standards adopted
25 by the department of health pursuant to section two hundred thirty-nine
26 of the public health law to prevent the transmission of HIV, HBV, HCV
27 and infections that could lead to sepsis in the course of professional
28 practice. Each such professional shall document to the department at the
29 time of registration commencing with the first registration after July
30 first, nineteen hundred ninety-four that the professional has completed
31 course work or training in accordance with this section, provided,
32 however that a professional subject to the provisions of paragraph (f)
33 of subdivision one of section twenty-eight hundred five-k of the public
34 health law shall not be required to so document. The department shall
35 provide an exemption from this requirement to anyone who requests such
36 an exemption and who (i) clearly demonstrates to the department's satis-
37 faction that there would be no need for ~~[him or her]~~ such dentist,
38 registered nurse, licensed practical nurse, podiatrist, optometrist,
39 dental hygienist, licensed nutritionist, and licensed dietitian to
40 complete such course work or training because of the nature of ~~[his or~~
41 ~~her]~~ such dentist, registered nurse, licensed practical nurse, podia-
42 trist, optometrist, dental hygienist, licensed nutritionist, and
43 licensed dietitian practice or (ii) that ~~[he or she]~~ such dentist,
44 registered nurse, licensed practical nurse, podiatrist, optometrist,
45 dental hygienist, licensed nutritionist, and licensed dietitian has
46 completed course work or training deemed by the department to be equiv-
47 alent to the course work or training approved by the department pursuant
48 to this section. The department shall consult with organizations repre-
49 sentative of professions, institutions and those with expertise in
50 infection control and HIV, HBV, HCV and infections that could lead to
51 sepsis with respect to the regulatory standards promulgated pursuant to
52 this section.

53 § 11-a. Section 6505-b of the education law, as amended by chapter 733
54 of the laws of 2023, is amended to read as follows:

55 § 6505-b. Course work or training in infection control practices.
56 Every dentist, registered nurse, licensed practical nurse, podiatrist,

1 optometrist, athletic trainer, [~~and~~] dental hygienist, and licensed
2 nutritionist, and licensed dietitian practicing in the state shall, on
3 or before July first, nineteen hundred ninety-four and every four years
4 thereafter, complete course work or training appropriate to the profes-
5 sional's practice approved by the department regarding infection
6 control, which shall include sepsis, and barrier precautions, including
7 engineering and work practice controls, in accordance with regulatory
8 standards promulgated by the department, in consultation with the
9 department of health, which shall be consistent, as far as appropriate,
10 with such standards adopted by the department of health pursuant to
11 section two hundred thirty-nine of the public health law to prevent the
12 transmission of HIV, HBV, HCV and infections that could lead to sepsis
13 in the course of professional practice. Each such professional shall
14 document to the department at the time of registration commencing with
15 the first registration after July first, nineteen hundred ninety-four
16 that the professional has completed course work or training in accord-
17 ance with this section, provided, however that a professional subject to
18 the provisions of paragraph (f) of subdivision one of section twenty-
19 eight hundred five-k of the public health law shall not be required to
20 so document. The department shall provide an exemption from this
21 requirement to anyone who requests such an exemption and who (i) clearly
22 demonstrates to the department's satisfaction that there would be no
23 need for [~~him or her~~] such dentist, registered nurse, licensed practical
24 nurse, podiatrist, optometrist, dental hygienist, licensed nutritionist,
25 and licensed dietitian to complete such course work or training because
26 of the nature of [~~his or her~~] such dentist, registered nurse, licensed
27 practical nurse, podiatrist, optometrist, dental hygienist, licensed
28 nutritionist, and licensed dietitian practice or (ii) that [~~he or she~~]
29 such dentist, registered nurse, licensed practical nurse, podiatrist,
30 optometrist, dental hygienist, licensed nutritionist, and licensed
31 dietitian has completed course work or training deemed by the department
32 to be equivalent to the course work or training approved by the depart-
33 ment pursuant to this section. The department shall consult with organ-
34 izations representative of professions, institutions and those with
35 expertise in infection control and HIV, HBV, HCV and infections that
36 could lead to sepsis with respect to the regulatory standards promulgat-
37 ed pursuant to this section.

38 § 12. Paragraph a of subdivision 3 of section 6507 of the education
39 law, as amended by chapter 479 of the laws of 2022, is amended to read
40 as follows:

41 a. Establish standards for preprofessional and professional education,
42 experience and licensing examinations as required to implement the arti-
43 cle for each profession. Notwithstanding any other provision of law, the
44 commissioner shall establish standards requiring that all persons apply-
45 ing, on or after January first, nineteen hundred ninety-one, initially,
46 or for the renewal of, a license, registration or limited permit to be a
47 physician, chiropractor, dentist, registered nurse, podiatrist, optome-
48 trist, psychiatrist, psychologist, licensed master social worker,
49 licensed clinical social worker, licensed creative arts therapist,
50 licensed marriage and family therapist, licensed mental health counse-
51 lor, licensed psychoanalyst, dental hygienist, licensed behavior
52 analyst, [~~or~~] certified behavior analyst assistant, licensed nutrition-
53 ist or licensed dietitian shall, in addition to all the other licensure,
54 certification or permit requirements, have completed two hours of
55 coursework or training regarding the identification and reporting of
56 child abuse and maltreatment. The coursework or training shall be

1 obtained from an institution or provider which has been approved by the
2 department to provide such coursework or training. The coursework or
3 training shall include information regarding the physical and behavioral
4 indicators of child abuse and maltreatment and the statutory reporting
5 requirements set out in sections four hundred thirteen through four
6 hundred twenty of the social services law, including but not limited to,
7 when and how a report must be made, what other actions the reporter is
8 mandated or authorized to take, the legal protections afforded repor-
9 ters, and the consequences for failing to report. Such coursework or
10 training may also include information regarding the physical and behav-
11 ioral indicators of the abuse of individuals with developmental disabil-
12 ities and voluntary reporting of abused or neglected adults to the
13 office for people with developmental disabilities or the local adult
14 protective services unit. Each applicant shall provide the department
15 with documentation showing that ~~[he or she]~~ such applicant has completed
16 the required training. The department shall provide an exemption from
17 the child abuse and maltreatment training requirements to any applicant
18 who requests such an exemption and who shows, to the department's satis-
19 faction, that there would be no need because of the nature of ~~[his or~~
20 ~~her]~~ such applicant's practice for ~~[him or her]~~ such applicant to
21 complete such training;

22 § 12-a. Paragraph a of subdivision 3 of section 6507 of the education
23 law, as amended by chapter 733 of the laws of 2023, is amended to read
24 as follows:

25 a. Establish standards for preprofessional and professional education,
26 experience and licensing examinations as required to implement the arti-
27 cle for each profession. Notwithstanding any other provision of law, the
28 commissioner shall establish standards requiring that all persons apply-
29 ing, on or after January first, nineteen hundred ninety-one, initially,
30 or for the renewal of, a license, registration or limited permit to be a
31 physician, chiropractor, dentist, registered nurse, podiatrist, optome-
32 trist, psychiatrist, psychologist, licensed master social worker,
33 licensed clinical social worker, licensed creative arts therapist,
34 licensed marriage and family therapist, licensed mental health counsel-
35 lor, licensed psychoanalyst, dental hygienist, licensed behavior
36 analyst, certified behavior analyst assistant, licensed nutritionist,
37 licensed dietitian, or athletic trainer shall, in addition to all the
38 other licensure, certification or permit requirements, have completed
39 two hours of coursework or training regarding the identification and
40 reporting of child abuse and maltreatment. The coursework or training
41 shall be obtained from an institution or provider which has been
42 approved by the department to provide such coursework or training. The
43 coursework or training shall include information regarding the physical
44 and behavioral indicators of child abuse and maltreatment and the statu-
45 tory reporting requirements set out in sections four hundred thirteen
46 through four hundred twenty of the social services law, including but
47 not limited to, when and how a report must be made, what other actions
48 the reporter is mandated or authorized to take, the legal protections
49 afforded reporters, and the consequences for failing to report. Such
50 coursework or training may also include information regarding the phys-
51 ical and behavioral indicators of the abuse of individuals with develop-
52 mental disabilities and voluntary reporting of abused or neglected
53 adults to the office for people with developmental disabilities or the
54 local adult protective services unit. Each applicant shall provide the
55 department with documentation showing that ~~[he or she]~~ such applicant
56 has completed the required training. The department shall provide an

1 exemption from the child abuse and maltreatment training requirements to
2 any applicant who requests such an exemption and who shows, to the
3 department's satisfaction, that there would be no need because of the
4 nature of ~~[his or her]~~ such applicant's practice for ~~[him or her]~~ such
5 applicant to complete such training;

6 § 13. Paragraph (a) of subdivision 1 of section 413 of the social
7 services law, as amended by section 7 of part C of chapter 57 of the
8 laws of 2018, is amended to read as follows:

9 (a) The following persons and officials are required to report or
10 cause a report to be made in accordance with this title when they have
11 reasonable cause to suspect that a child coming before them in their
12 professional or official capacity is an abused or maltreated child, or
13 when they have reasonable cause to suspect that a child is an abused or
14 maltreated child where the parent, guardian, custodian or other person
15 legally responsible for such child comes before them in their profes-
16 sional or official capacity and states from personal knowledge facts,
17 conditions or circumstances which, if correct, would render the child an
18 abused or maltreated child: any physician; registered physician assist-
19 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;
20 osteopath; optometrist; chiropractor; podiatrist; resident; intern;
21 psychologist; registered nurse; social worker; emergency medical techni-
22 cian; licensed creative arts therapist; licensed marriage and family
23 therapist; licensed mental health counselor; licensed psychoanalyst;
24 licensed behavior analyst; certified behavior analyst assistant;
25 licensed nutritionist; licensed dietitian; hospital personnel engaged in
26 the admission, examination, care or treatment of persons; a Christian
27 Science practitioner; school official, which includes but is not limited
28 to school teacher, school guidance counselor, school psychologist,
29 school social worker, school nurse, school administrator or other school
30 personnel required to hold a teaching or administrative license or
31 certificate; full or part-time compensated school employee required to
32 hold a temporary coaching license or professional coaching certificate;
33 social services worker; employee of a publicly-funded emergency shelter
34 for families with children; director of a children's overnight camp,
35 summer day camp or traveling summer day camp, as such camps are defined
36 in section thirteen hundred ninety-two of the public health law; day
37 care center worker; school-age child care worker; provider of family or
38 group family day care; employee or volunteer in a residential care
39 facility for children that is licensed, certified or operated by the
40 office of children and family services; or any other child care or
41 foster care worker; mental health professional; substance abuse counse-
42 lor; alcoholism counselor; all persons credentialed by the office of
43 ~~[alcoholism]~~ addiction services and ~~[substance abuse services]~~ supports;
44 employees, who are expected to have regular and substantial contact with
45 children, of a health home or health home care management agency
46 contracting with a health home as designated by the department of health
47 and authorized under section three hundred sixty-five-1 of this chapter
48 or such employees who provide home and community based services under a
49 demonstration program pursuant to section eleven hundred fifteen of the
50 federal social security act who are expected to have regular and
51 substantial contact with children; peace officer; police officer;
52 district attorney or assistant district attorney; investigator employed
53 in the office of a district attorney; or other law enforcement official.

54 § 13-a. Paragraph (a) of subdivision 1 of section 413 of the social
55 services law, as amended by chapter 733 of the laws of 2023, is amended
56 to read as follows:

(a) The following persons and officials are required to report or cause a report to be made in accordance with this title when they have reasonable cause to suspect that a child coming before them in their professional or official capacity is an abused or maltreated child, or when they have reasonable cause to suspect that a child is an abused or maltreated child where the parent, guardian, custodian or other person legally responsible for such child comes before them in their professional or official capacity and states from personal knowledge facts, conditions or circumstances which, if correct, would render the child an abused or maltreated child: any physician; registered physician assistant; surgeon; medical examiner; coroner; dentist; dental hygienist; osteopath; optometrist; chiropractor; podiatrist; resident; intern; athletic trainer; psychologist; registered nurse; social worker; emergency medical technician; licensed creative arts therapist; licensed marriage and family therapist; licensed mental health counselor; licensed psychoanalyst; licensed behavior analyst; certified behavior analyst assistant; licensed nutritionist; licensed dietitian; hospital personnel engaged in the admission, examination, care or treatment of persons; a Christian Science practitioner; school official, which includes but is not limited to school teacher, school guidance counselor, school psychologist, school social worker, school nurse, school administrator or other school personnel required to hold a teaching or administrative license or certificate; full or part-time compensated school employee required to hold a temporary coaching license or professional coaching certificate; social services worker; employee of a publicly-funded emergency shelter for families with children; director of a children's overnight camp, summer day camp or traveling summer day camp, as such camps are defined in section thirteen hundred ninety-two of the public health law; day care center worker; school-age child care worker; provider of family or group family day care; employee or volunteer in a residential care facility for children that is licensed, certified or operated by the office of children and family services; or any other child care or foster care worker; mental health professional; substance abuse counselor; alcoholism counselor; all persons credentialed by the office of [~~alcoholism and substance abuse services~~] addiction services and supports; employees, who are expected to have regular and substantial contact with children, of a health home or health home care management agency contracting with a health home as designated by the department of health and authorized under section three hundred sixty-five-1 of this chapter or such employees who provide home and community based services under a demonstration program pursuant to section eleven hundred fifteen of the federal social security act who are expected to have regular and substantial contact with children; peace officer; police officer; district attorney or assistant district attorney; investigator employed in the office of a district attorney; or other law enforcement official.

§ 14. Subdivision 5-a of section 488 of the social services law, as amended by chapter 205 of the laws of 2014, is amended to read as follows:

5-a. "Human services professional" shall mean any: physician; registered physician assistant; surgeon; medical examiner; coroner; dentist; dental hygienist; osteopath; optometrist; chiropractor; podiatrist; resident; intern; psychologist; registered nurse; licensed practical nurse; nurse practitioner; social worker; emergency medical technician; licensed creative arts therapist; licensed marriage and family therapist; licensed mental health counselor; licensed psychoanalyst; licensed

1 behavior analyst; certified behavior analyst assistant; licensed
2 speech/language pathologist or audiologist; licensed physical therapist;
3 licensed occupational therapist; licensed nutritionist; licensed dieti-
4 tian; hospital personnel engaged in the admission, examination, care or
5 treatment of persons; Christian Science practitioner; school official,
6 which includes but is not limited to school teacher, school guidance
7 counselor, school psychologist, school social worker, school nurse,
8 school administrator or other school personnel required to hold a teach-
9 ing or administrative license or certificate; full or part-time compen-
10 sated school employee required to hold a temporary coaching license or
11 professional coaching certificate; social services worker; any other
12 child care or foster care worker; mental health professional; person
13 credentialed by the office of [~~alcoholism~~] addiction services and
14 [~~substance abuse services~~] supports; peace officer; police officer;
15 district attorney or assistant district attorney; investigator employed
16 in the office of a district attorney; or other law enforcement official.
17 § 15. This act shall take effect eighteen months after it shall have
18 become a law; provided, however, that the provisions of sections
19 eleven-a, twelve-a and thirteen-a of this act shall take effect on the
20 same date and in the same manner as chapter 733 of the laws of 2023
21 takes effect. Effective immediately, the addition, amendment and/or
22 repeal of any rule or regulation necessary for the implementation of
23 this act on its effective date are authorized to be made and completed
24 on or before such effective date.