STATE OF NEW YORK

8899

IN SENATE

January 14, 2026

Introduced by Sen. STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to supervision by certain marriage and family therapists and mental health counselors

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

Section 1. Paragraph (c) of subdivision 3 of section 8402 of the education law, as amended by chapter 130 of the laws of 2010, is amended to read as follows:

(c) Experience: An applicant shall complete a minimum of three thousand hours of post-master's supervised experience relevant to the practice of mental health counseling satisfactory to the board and in accordance with the commissioner's regulations**. A licensed and registered marriage and family therapist may provide post-master's supervision if the licensed marriage and family therapist, at minimum, meets the following requirements (i) is licensed and registered for at least three years, (ii) has been awarded the diagnostic privilege set forth in section eighty-four hundred one-a of this article, and (iii) has completed a total of three semester hours or thirty-six hours of continuing education in clinical counseling supervision and professional orientation and ethics in mental health counseling as determined by the department**. Satisfactory experience obtained in an entity operating under a waiver issued by the department pursuant to section sixty-five hundred three-a of this title may be accepted by the department, notwithstanding that such experience may have been obtained prior to the effective date of such section sixty-five hundred three-a and/or prior to the entity having obtained a waiver. The department may, for good cause shown, accept satisfactory experience that was obtained in a setting that would have been eligible for a waiver but which has not obtained a waiver from the department or experience that was obtained in good faith by the applicant under the belief that appropriate authorization had been obtained for the experience, provided that such experience meets all other requirements for acceptable experience;

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

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§ 2. Paragraph (c) of subdivision 3 of section 8403 of the education law, as amended by chapter 130 of the laws of 2010, is amended to read as follows:

(c) Experience: The completion of at least one thousand five hundred client contact hours of supervised clinical experience, by persons holding a degree from a master's or doctoral program, or the substantial equivalent, in accordance with the commissioner's regulations or the completion of at least one thousand five hundred client hours of supervised post-master's clinical experience in marriage and family therapy satisfactory to the department in accordance with the commissioner's regulations**. A licensed and registered mental health counselor may provide supervision if the licensed mental health counselor, at minimum, meets the following requirements (i) is licensed and registered for at least three years, (ii) has been awarded the diagnostic privilege set forth in section eighty-four hundred one-a of this article, and (iii) has completed a total of three semester hours or thirty-six hours of continuing education in clinical counseling supervision and professional orientation and ethics in marriage and family therapy as determined by the department**. Satisfactory experience obtained in an entity operating under a waiver issued by the department pursuant to section sixty-five hundred three-a of this title may be accepted by the department, notwithstanding that such experience may have been obtained prior to the effective date of such section sixty-five hundred three-a and/or prior to the entity having obtained a waiver. The department may, for good cause shown, accept satisfactory experience that was obtained in a setting that would have been eligible for a waiver but which has not obtained a waiver from the department or experience that was obtained in good faith by the applicant under the belief that appropriate authorization had been obtained for the experience, provided that such experience meets all other requirements for acceptable experience;

§ 3. This act shall take effect on the one hundred twentieth day after it shall have become a law.