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

4800

2009-2010 Regular Sessions

I N A S S E M B L Y

February 6, 2009

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

AN ACT to amend the education law, in relation to the statute of limitations for professional misconduct for mental health professionals

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

Section 1. Section 6509 of the education law is amended by adding a new subdivision 15 to read as follows:

(15) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ALL COMPLAINTS OF PROFESSIONAL MISCONDUCT BROUGHT AGAINST A MENTAL HEALTH PROFESSIONAL LICENSED PURSUANT TO ARTICLE ONE HUNDRED FIFTY-THREE, ONE HUNDRED FIFTY-FOUR OR ONE HUNDRED SIXTY-THREE OF THIS TITLE SHALL BE COMMENCED WITHIN TEN YEARS OF THE DATE OF THE LAST TREATMENT OF THE COMPLAINANT. IN CASES INVOLVING THE TREATMENT OF CHILDREN UNDER THE AGE OF TWENTY-ONE YEARS, ALL COMPLAINTS OF PROFESSIONAL MISCONDUCT SHALL BE COMMENCED WITHIN TEN YEARS AFTER THE COMPLAINANT REACHES THE AGE OF TWENTY-ONE YEARS.

S 2. This act shall take effect immediately.

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

LBD08126-01-9