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

5830

2009-2010 Regular Sessions

I N A S S E M B L Y

February 20, 2009

Introduced by M. of A. McKEVITT, FINCH, KOLB, ALFANO, ERRIGO, McDONOUGH -- Multi-Sponsored by -- M. of A. BARRA, CROUCH, GIGLIO, WALKER -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to professional education in the area of elderly abuse

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

Section 1. Paragraphs b and c of subdivision 3 of section 6507 of the education law, as added by chapter 987 of the laws of 1971, are amended and a new paragraph d is added to read as follows:

b. Review qualifications in connection with licensing requirements; [and]

c. Provide for licensing examinations and reexaminations[.]; AND

D. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE COMMISSIONER SHALL ESTABLISH STANDARDS REQUIRING THAT ALL PERSONS APPLYING, ON OR AFTER JANUARY FIRST, TWO THOUSAND NINE, INITIALLY, OR FOR THE RENEWAL OF, A LICENSE, REGISTRATION OR LIMITED PERMIT TO BE A PHYSICIAN, CHIROPRACTOR, DENTIST, REGISTERED NURSE, PODIATRIST, OPTOMETRIST, PSYCHIATRIST, PSYCHOLOGIST OR DENTAL HYGIENIST SHALL, IN ADDITION TO ALL THE OTHER LICENSURE, CERTIFICATION OR PERMIT REQUIREMENTS, HAVE COMPLETED TWO HOURS OF COURSEWORK OR TRAINING REGARDING THE IDENTIFICATION AND REPORTING OF ELDERLY ABUSE AND MALTREATMENT. THE COURSEWORK OR TRAINING SHALL BE OBTAINED FROM AN INSTITUTION OR PROVIDER WHICH HAS BEEN APPROVED BY THE DEPARTMENT TO PROVIDE SUCH COURSEWORK OR TRAINING. THE COURSEWORK OR TRAINING SHALL INCLUDE INFORMATION REGARDING THE PHYSICAL AND BEHAVIORAL INDICATORS OF ELDERLY ABUSE AND MALTREATMENT AND SHALL INCLUDE BUT NOT BE LIMITED TO, WHEN AND HOW A REPORT OF ELDERLY ABUSE MUST BE MADE, WHAT OTHER ACTIONS THE REPORTER IS MANDATED OR AUTHORIZED TO TAKE, THE LEGAL PROTECTIONS AFFORDED REPORTERS, AND THE CONSEQUENCES, IF ANY, FOR FAILING TO REPORT. EACH APPLICANT SHALL PROVIDE THE DEPARTMENT WITH DOCUMENTATION SHOWING THAT HE OR SHE HAS COMPLETED THE REQUIRED TRAINING. THE

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

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DEPARTMENT SHALL PROVIDE AN EXEMPTION FROM THE ELDERLY ABUSE AND MALTREATMENT TRAINING REQUIREMENTS TO ANY APPLICANT WHO REQUESTS SUCH AN EXEMPTION AND WHO SHOWS, TO THE DEPARTMENT'S SATISFACTION, THAT THERE WOULD BE NO NEED BECAUSE OF THE NATURE OF HIS OR HER PRACTICE FOR HIM OR HER TO COMPLETE SUCH TRAINING.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.