

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

8249--B

2009-2010 Regular Sessions

I N A S S E M B L Y

May 11, 2009

Introduced by M. of A. P. RIVERA -- read once and referred to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law and the public health law, in relation to course work or training in early recognition of and intervention for eating disorders

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

1 Section 1. The education law is amended by adding a new section 6505-d
2 to read as follows:
3 S 6505-D. COURSE WORK OR TRAINING IN EARLY RECOGNITION OF AND INTER-
4 VENTION FOR EATING DISORDERS. EVERY PHYSICIAN, PHYSICIAN ASSISTANT,
5 REGISTERED NURSE, LICENSED PRACTICAL NURSE, PSYCHIATRIST, PSYCHOLOGIST,
6 LICENSED MASTER SOCIAL WORKER, LICENSED CLINICAL SOCIAL WORKER, LICENSED
7 MENTAL HEALTH COUNSELOR, LICENSED MARRIAGE THERAPIST, LICENSED FAMILY
8 THERAPIST, LICENSED DENTIST, LICENSED NUTRITIONIST AND LICENSED PSYCHO-
9 ANALYST PRACTICING IN THE STATE SHALL, ON OR BEFORE JULY FIRST, TWO
10 THOUSAND ELEVEN, COMPLETE COURSE WORK OR TRAINING APPROVED BY THE
11 DEPARTMENT REGARDING THE EARLY RECOGNITION OF AND INTERVENTION FOR
12 EATING DISORDERS, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, WHICH
13 SHALL BE CONSISTENT, AS FAR AS APPROPRIATE, WITH ANY STANDARDS OR BEST
14 PRACTICES ESTABLISHED BY THE COMPREHENSIVE CARE CENTERS FOR EATING
15 DISORDERS ESTABLISHED PURSUANT TO ARTICLE TWENTY-SEVEN-J OF THE PUBLIC
16 HEALTH LAW. EACH SUCH PROFESSIONAL SHALL ATTEST TO THE DEPARTMENT AT
17 THE TIME OF REGISTRATION COMMENCING WITH THE FIRST REGISTRATION AFTER
18 JULY FIRST, TWO THOUSAND ELEVEN THAT THE PROFESSIONAL HAS COMPLETED
19 COURSE WORK OR TRAINING IN ACCORDANCE WITH THIS SECTION, PROVIDED,
20 HOWEVER THAT A PROFESSIONAL SUBJECT TO THE PROVISIONS OF PARAGRAPH (F)

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

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1 OF SUBDIVISION ONE OF SECTION TWENTY-EIGHT HUNDRED FIVE-K OF THE PUBLIC
2 HEALTH LAW SHALL NOT BE REQUIRED TO PRODUCE SUCH DOCUMENTATION OR ATTES-
3 TATION AS PRESCRIBED BY THIS SECTION. THE ONE HOUR OF COURSE WORK SHALL
4 CONSIST OF, BUT NOT BE LIMITED TO, INFORMATION REGARDING PHYSICAL,
5 EMOTIONAL, AND BEHAVIORAL INDICATORS OF EATING DISORDERS. THE DEPART-
6 MENT SHALL PROVIDE AN EXEMPTION FROM THIS REQUIREMENT TO ANYONE WHO
7 REQUESTS SUCH AN EXEMPTION AND WHO CLEARLY DEMONSTRATES TO THE DEPART-
8 MENT'S SATISFACTION THAT (I) THERE WOULD BE NO NEED FOR HIM OR HER TO
9 COMPLETE SUCH COURSE WORK OR TRAINING BECAUSE OF THE NATURE OF HIS OR
10 HER PRACTICE, (II) THAT HE OR SHE HAS COMPLETED COURSE WORK OR TRAINING
11 DEEMED BY THE DEPARTMENT TO BE EQUIVALENT TO THE COURSE WORK OR TRAINING
12 APPROVED BY THE DEPARTMENT PURSUANT TO THIS SECTION OR (III) SOME OTHER
13 GOOD CAUSE PREVENTS THEM FROM COMPLETING SUCH COURSE WORK OR TRAINING.

14 S 2. Subdivision 1 of section 2805-k of the public health law is
15 amended by adding a new paragraph (h) to read as follows:

16 (H) DOCUMENTATION THAT THE PHYSICIAN HAS COMPLETED THE COURSE WORK OR
17 TRAINING AS MANDATED BY SECTION SIX THOUSAND FIVE HUNDRED FIVE-D OF THE
18 EDUCATION LAW. A HOSPITAL OR FACILITY SHALL NOT GRANT OR RENEW PROFES-
19 SIONAL PRIVILEGES OR ASSOCIATION TO A PHYSICIAN WHO HAS NOT COMPLETED
20 SUCH COURSE WORK OR TRAINING.

21 S 3. This act shall take effect on the first of January next succeed-
22 ing the date on which it shall have become a law; provided that the
23 commissioner of education is immediately authorized and directed to
24 promulgate, amend and/or repeal any rules and regulations necessary to
25 implement the provisions of this act on such effective date.