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

11103

I N A S S E M B L Y

May 17, 2010

Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read once and referred to the Committee on Ways and Means

AN ACT to amend chapter 420 of the laws of 2002 amending the education law relating to the profession of social work; and to amend chapter 676 of the laws of 2002 amending the education law relating to defining the practice of psychology, in relation to the professions of social work and mental health practitioners

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

Section 1. Section 9 of chapter 420 of the laws of 2002 amending the education law relating to the profession of social work, as amended by section 1 of part II of chapter 57 of the laws of 2009, is amended to read as follows:

S 9. Nothing in this act shall prohibit or limit the activities or services on the part of any person in the employ of a program or service operated, regulated, funded, or approved by [the department of mental hygiene or the office of children and family services, or a local governmental unit as that term is defined in article 41 of the mental hygiene law or a social services district as defined in section 61 of the social services] A NEW YORK STATE OR FEDERAL AGENCY, POLITICAL SUBDIVISION, MUNICIPAL CORPORATION OR LOCAL GOVERNMENT AGENCY OR UNIT PURSUANT TO AUTHORITY GRANTED BY law, provided, however, this section shall not authorize the use of any title authorized pursuant to article 154 of the education law, except that this section shall be deemed repealed on [June 1, 2010] JULY 1, 2014. THE COMMISSIONER OF EDUCATION SHALL CONVENE A WORKGROUP OF REPRESENTATIVES FROM STATE AGENCIES, INCLUDING, BUT NOT LIMITED TO THE OFFICES OF MENTAL HEALTH, ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES, CHILDREN AND FAMILY SERVICES, LOCAL GOVERNMENT MENTAL HYGIENE AND SOCIAL SERVICES DEPARTMENTS, NOT-FOR-PROFIT PROVIDERS, PROFESSIONAL ASSOCIATIONS AND CONSUMERS, AND OTHER KEY STAKEHOLDERS. SUCH WORKGROUP SHALL REPORT ON THE COSTS OF COMPLIANCE, THE POTENTIAL IMPLEMENTATION PROCESS, THE IMPACT ON STAKEHOLDERS AND SERVICES FROM COMPLIANCE, AND SHALL MAKE RECOMMENDATIONS TO THE GOVERNOR AND LEGISLATURE BY OCTOBER 1,

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

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2011 WITH RESPECT TO ANY NECESSARY AMENDMENTS TO LAW, RULE OR REGULATION.

S 2. Section 17-a of chapter 676 of the laws of 2002 amending the education law relating to defining the practice of psychology, as amended by section 2 of part II of chapter 57 of the laws of 2009, is amended to read as follows:

S 17-a. [Nothing] A. IN RELATION TO ACTIVITIES AND SERVICES PROVIDED UNDER ARTICLE 153 OF THE EDUCATION LAW, NOTHING in this act shall prohibit or limit the activities or services on the part of any person in the employ of a program or service operated, regulated, funded, or approved by the department of mental hygiene or the office of children and family services, or a local governmental unit as that term is defined in article 41 of the mental hygiene law or a social services district as defined in section 61 of the social services law[, provided, however, this section shall not authorize the use of any title authorized pursuant to article 153 or 163 of the education law, except as otherwise provided by such articles, except that this section shall be deemed repealed on June 1, 2010]. IN RELATION TO ACTIVITIES AND SERVICES PROVIDED UNDER ARTICLE 163 OF THE EDUCATION LAW, NOTHING IN THIS ACT SHALL PROHIBIT OR LIMIT SUCH ACTIVITIES OR SERVICES ON THE PART OF ANY PERSON IN THE EMPLOY OF A PROGRAM OR SERVICE OPERATED, REGULATED, FUNDED, OR APPROVED BY A NEW YORK STATE OR FEDERAL AGENCY, POLITICAL SUBDIVISION, MUNICIPAL CORPORATION OR LOCAL GOVERNMENT AGENCY OR UNIT PURSUANT TO AUTHORITY GRANTED BY LAW.

B. THIS SECTION SHALL BE DEEMED REPEALED ON JULY 1, 2014 PROVIDED, HOWEVER, THAT THE COMMISSIONER OF EDUCATION SHALL CONVENE A WORKGROUP OF REPRESENTATIVES FROM STATE AGENCIES, INCLUDING, BUT NOT LIMITED TO THE OFFICES OF MENTAL HEALTH, ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES, CHILDREN AND FAMILY SERVICES, LOCAL GOVERNMENT MENTAL HYGIENE AND SOCIAL SERVICES DEPARTMENTS, NOT-FOR-PROFIT PROVIDERS, PROFESSIONAL ASSOCIATIONS AND CONSUMERS, AND OTHER KEY STAKEHOLDERS. SUCH WORKGROUP SHALL REPORT ON THE COSTS OF COMPLIANCE, THE POTENTIAL IMPLEMENTATION PROCESS, THE IMPACT ON STAKEHOLDERS AND SERVICES FROM COMPLIANCE, AND SHALL MAKE RECOMMENDATIONS TO THE GOVERNOR AND LEGISLATURE BY OCTOBER 1, 2011 WITH RESPECT TO ANY NECESSARY AMENDMENTS TO LAW, RULE OR REGULATION.

S 3. This act shall take effect immediately.