

S T A T E   O F   N E W   Y O R K

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5581--B

2009-2010 Regular Sessions

I N   A S S E M B L Y

February 13, 2009

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Introduced by M. of A. BING, GOTTFRIED, TITUS, PAULIN, WEISENBERG, JOHN, ROSENTHAL, SPANO, DINOWITZ, PERRY, BENEDETTO, STIRPE, JAFFEE, COLTON, HOYT, KOON, BROOK-KRASNY, MORELLE, PEOPLES-STOKES, LAVINE, D. WEPRIN, CASTRO -- Multi-Sponsored by -- M. of A. AUBRY, BRENNAN, CYMBROWITZ, DESTITO, FARRELL, GALEF, GORDON, HEVESI, HOOPER, KELLNER, LIFTON, V. LOPEZ, LUPARDO, MAGEE, MAISEL, MCENENY, J. MILLER, M. MILLER, PHEFFER, QUINN, SWEENEY, TITONE, TOWNS -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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

AN ACT to amend the education law, in relation to the licensing of orientation and mobility specialists and rehabilitation therapists

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 article 167 to  
2     read as follows:  
3                                     ARTICLE 167  
4                     VISION REHABILITATION SERVICES  
5     SECTION 8800. INTRODUCTION.  
6         8801. DEFINITIONS.  
7         8802. USE OF THE TITLES "LICENSED ORIENTATION AND MOBILITY  
8             SPECIALISTS" AND "VISION REHABILITATION THERAPISTS".  
9         8803. STATE BOARD FOR VISION REHABILITATION SERVICES.  
10        8804. REQUIREMENTS FOR A LICENSE.  
11        8805. LIMITED PERMITS.  
12        8806. EXEMPT PERSONS.  
13        8807. SPECIAL PROVISIONS.  
14        8808. SEPARABILITY.

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

LBD03083-09-0

1 S 8800. INTRODUCTION. THIS ARTICLE APPLIES TO THE PROFESSION OF VISION  
2 REHABILITATION SERVICES, AND PROVIDES FOR THE LICENSING OF LICENSED  
3 ORIENTATION AND MOBILITY SPECIALISTS AND VISION REHABILITATION THERA-  
4 PISTS. THE GENERAL PROVISIONS FOR ALL PROFESSIONS CONTAINED IN ARTICLE  
5 ONE HUNDRED THIRTY OF THIS TITLE SHALL APPLY TO THIS ARTICLE.

6 S 8801. DEFINITIONS. FOR PURPOSES OF THIS ARTICLE, THE FOLLOWING TERMS  
7 SHALL HAVE THE FOLLOWING MEANINGS:

8 1. THE PRACTICE OF "ORIENTATION AND MOBILITY TRAINING" SHALL MEAN:  
9 (A) THE ASSESSMENT OF INDIVIDUAL NEEDS OF PERSONS WHO ARE VISUALLY  
10 IMPAIRED FOR SKILLS TRAINING IN METHODS OF SAFE MOVEMENT AND IN STRATE-  
11 GIES TO GATHER REQUIRED ENVIRONMENTAL AND SPATIAL INFORMATION; (B) THE  
12 DEVELOPMENT OF APPROPRIATE INTEGRATED SERVICE PLANS TAILORED TO MEET  
13 SUCH INDIVIDUAL NEEDS AS IDENTIFIED IN SUCH ASSESSMENT PROCESS; (C) THE  
14 PROVISION OF TRAINING IN, AND UTILIZATION OF (I) EQUIPMENT AND ADAPTIVE  
15 DEVICES INTENDED AND DESIGNED FOR USE BY PERSONS WHO ARE VISUALLY  
16 IMPAIRED, AND (II) SPECIALIZED TECHNIQUES ADAPTED FOR PERSONS WHO ARE  
17 VISUALLY IMPAIRED, INCLUDING BUT NOT LIMITED TO ORIENTATION; SENSORY  
18 DEVELOPMENT; SYSTEMS OF SAFE MOVEMENT, INCLUDING LONG CANE TECHNIQUES;  
19 RESOURCE IDENTIFICATION AND, AS APPROPRIATE, PROFESSIONAL REFERRALS;  
20 AND, IN APPLIED SETTINGS, REINFORCING INSTRUCTION FOR THE USE OF OPTICAL  
21 DEVICES AS PRESCRIBED BY OPTOMETRISTS AND OPHTHALMOLOGISTS; AND (D) THE  
22 EVALUATION OF CLIENTS RECEIVING SUCH SPECIALIZED TRAINING.

23 2. THE PRACTICE OF "VISION REHABILITATION THERAPY" SHALL MEAN: (A) THE  
24 ASSESSMENT OF INDIVIDUAL NEEDS OF PERSONS WHO ARE VISUALLY IMPAIRED FOR  
25 SKILLS TRAINING IN INDEPENDENT LIVING AND COMMUNICATIONS; (B) THE DEVEL-  
26 OPMENT OF APPROPRIATE INTEGRATED SERVICE PLANS TAILORED TO MEET SUCH  
27 INDIVIDUAL NEEDS AS IDENTIFIED IN SUCH ASSESSMENT PROCESS; (C) THE  
28 PROVISION OF TRAINING IN, AND UTILIZATION OF (I) EQUIPMENT AND ADAPTIVE  
29 DEVICES INTENDED AND DESIGNED FOR USE BY PERSONS WHO ARE VISUALLY  
30 IMPAIRED, INCLUDING, IN APPLIED SETTINGS, REINFORCING INSTRUCTION FOR  
31 THE USE OF OPTICAL DEVICES AS PRESCRIBED BY OPTOMETRISTS OR OPHTHALMOLO-  
32 GISTS, AND (II) SPECIALIZED TECHNIQUES ADAPTED FOR PERSONS WHO ARE VISU-  
33 ALLY IMPAIRED, INCLUDING BUT NOT LIMITED TO BRAILLE AND OTHER COMMUNI-  
34 CATION SKILLS; ADAPTED COMPUTER TECHNOLOGY; PERSONAL MANAGEMENT SKILLS;  
35 HOME MANAGEMENT SKILLS; PROBLEM SOLVING SKILLS; RESOURCE MANAGEMENT AND,  
36 AS APPROPRIATE, PROFESSIONAL REFERRALS; AND (D) THE EVALUATION OF  
37 PERSONS RECEIVING SUCH SPECIALIZED TRAINING.

38 3. THE PRACTICE OF "VISION REHABILITATION SERVICES" SHALL MEAN PROVID-  
39 ING ASSESSMENT AND EVALUATION OF, AND TRAINING FOR, PERSONS WHO ARE  
40 VISUALLY IMPAIRED WHEN SUCH ASSESSMENT, EVALUATION AND TRAINING INCORPO-  
41 RATES THE FULL RANGE OF SPECIALIZED SKILLS AND TASKS SUBSUMED IN THE TWO  
42 PROFESSIONS DEFINED IN THIS SECTION AS: (A) ORIENTATION AND MOBILITY  
43 TRAINING AND (B) VISION REHABILITATION THERAPY. SUCH SERVICES SHALL BE  
44 RENDERED ON THE PRESCRIPTION OR REFERRAL WHICH MAY BE DIRECTIVE AS TO  
45 TREATMENT BY A LICENSED PHYSICIAN OR OPTOMETRIST, PROVIDED HOWEVER THAT  
46 NO SUCH TREATMENT DIRECTIVE AND LOW VISION EXAMINATION SHALL BE REQUIRED  
47 WHEN THE PERSON BEING REFERRED HAS BEEN DIAGNOSED WITHIN THE PREVIOUS  
48 TWELVE MONTHS AS VISUALLY IMPAIRED, BLIND OR LEGALLY BLIND AS THOSE  
49 TERMS ARE DEFINED IN SUBDIVISION FIVE OF THIS SECTION AND SUCH SERVICES  
50 ARE BEING RENDERED CONSISTENT WITH THAT DIAGNOSIS, PRESCRIPTION OR  
51 REFERRAL. VISION REHABILITATION THERAPISTS AND ORIENTATION AND MOBILITY  
52 SPECIALISTS MAY NOT PRESCRIBE OPTICAL LOW VISION DEVICES.

53 4. "APPLIED SETTINGS" MEANS THOSE LOCATIONS WHERE PERSONS WHO ARE  
54 VISUALLY IMPAIRED ENGAGE IN DAY-TO-DAY ACTIVITIES UTILIZING THE TOOLS  
55 SUPPLIED AND TECHNIQUES TAUGHT BY THE LICENSED PRACTITIONERS DEFINED IN  
56 THIS ARTICLE.

1 5. "VISUALLY IMPAIRED" MEANS A PERSON WHO IS TOTALLY BLIND, LEGALLY  
2 BLIND OR PARTIALLY SIGHTED. A PERSON WHO IS BLIND IS ONE WHO HAS NO  
3 USEABLE VISION. A PERSON WHO IS LEGALLY BLIND IS ONE WHO SATISFIES THE  
4 DEFINITION SET FORTH IN SUBDIVISION B OF SECTION THREE OF CHAPTER FOUR  
5 HUNDRED FIFTEEN OF THE LAWS OF NINETEEN HUNDRED THIRTEEN. A PERSON WHO  
6 IS PARTIALLY SIGHTED IS ONE WHO HAS FUNCTIONAL VISION IMPAIRMENT THAT  
7 CONSTITUTES A SIGNIFICANT LIMITATION OF VISUAL CAPABILITY RESULTING FROM  
8 DISEASE, TRAUMA, OR CONGENITAL CONDITION, THAT CANNOT BE FULLY AMELIO-  
9 RATED BY STANDARD REFRACTIVE CORRECTION, MEDICATION, OR SURGERY, AND  
10 THAT IS MANIFESTED BY ONE OR MORE OF THE FOLLOWING: INSUFFICIENT VISUAL  
11 RESOLUTION, INADEQUATE FIELD OF VISION OR REDUCED PEAK CONTRAST SENSI-  
12 TIVITY.

13 S 8802. USE OF THE TITLES "LICENSED ORIENTATION AND MOBILITY SPECIAL-  
14 ISTS" AND "VISION REHABILITATION THERAPISTS". 1. PRACTICE OF ORIE-  
15 NTATION AND MOBILITY TRAINING AND USE OF THE TITLE "LICENSED ORIENTATION  
16 AND MOBILITY SPECIALISTS". ONLY A PERSON LICENSED OR OTHERWISE AUTHOR-  
17 IZED UNDER THIS ARTICLE SHALL PRACTICE ORIENTATION AND MOBILITY TRAINING  
18 OR USE THE TITLE "LICENSED ORIENTATION AND MOBILITY SPECIALISTS" IN  
19 CONNECTION WITH HIS OR HER NAME OR WITH ANY TRADE NAME IN THE CONDUCT OF  
20 HIS OR HER PROFESSION.

21 2. PRACTICE OF VISION REHABILITATION THERAPY AND USE OF THE TITLE  
22 "VISION REHABILITATION THERAPIST". ONLY A PERSON LICENSED OR OTHERWISE  
23 AUTHORIZED UNDER THIS ARTICLE SHALL PRACTICE VISION REHABILITATION THER-  
24 APY OR USE THE TITLE "VISION REHABILITATION THERAPIST" IN CONNECTION  
25 WITH HIS OR HER NAME OR WITH ANY TRADE NAME IN THE CONDUCT OF HIS OR HER  
26 PROFESSION.

27 S 8803. STATE BOARD FOR VISION REHABILITATION SERVICES. A STATE BOARD  
28 FOR VISION REHABILITATION SERVICES SHALL BE APPOINTED BY THE BOARD OF  
29 REGENTS UPON THE RECOMMENDATION OF THE COMMISSIONER FOR THE PURPOSE OF  
30 ASSISTING THE BOARD OF REGENTS AND THE DEPARTMENT ON MATTERS OF PROFES-  
31 SIONAL LICENSING AND PROFESSIONAL CONDUCT IN ACCORDANCE WITH SECTION  
32 SIXTY-FIVE HUNDRED EIGHT OF THIS TITLE. THE BOARD SHALL CONSIST OF NOT  
33 LESS THAN THIRTEEN INDIVIDUALS, FOUR OF WHOM SHALL BE LICENSED ORIE-  
34 NTATION AND MOBILITY SPECIALISTS, FOUR OF WHOM SHALL BE LICENSED VISION  
35 REHABILITATION THERAPISTS, ONE OPHTHALMOLOGIST SPECIALIZING IN LOW  
36 VISION TREATMENT, ONE OPTOMETRIST SPECIALIZING IN LOW VISION TREATMENT  
37 AND THREE OF WHOM SHALL BE REPRESENTATIVES OF THE PUBLIC AT LARGE.  
38 MEMBERS OF THE INITIAL BOARD NEED NOT BE LICENSED PRIOR TO THEIR  
39 APPOINTMENT TO THE BOARD. OF THE MEMBERS FIRST APPOINTED, THREE SHALL BE  
40 APPOINTED FOR A THREE YEAR TERM, FOUR SHALL BE APPOINTED FOR A FOUR YEAR  
41 TERM, AND FOUR SHALL BE APPOINTED FOR A FIVE YEAR TERM. THEREAFTER ALL  
42 MEMBERS SHALL SERVE FOR FIVE YEAR TERMS. IN THE EVENT THAT MORE THAN  
43 THIRTEEN MEMBERS ARE APPOINTED, A MAJORITY OF THE ADDITIONAL MEMBERS  
44 SHALL BE LICENSED ORIENTATION AND MOBILITY SPECIALISTS AND LICENSED  
45 VISION REHABILITATION THERAPISTS. THE MEMBERS OF THE BOARD SHALL SELECT  
46 ONE OF THEMSELVES AS CHAIR TO SERVE FOR A ONE YEAR TERM. AN EXECUTIVE  
47 SECRETARY SHALL BE APPOINTED BY THE BOARD OF REGENTS UPON THE RECOMMEN-  
48 DATION OF THE COMMISSIONER.

49 S 8804. REQUIREMENTS FOR A LICENSE. 1. TO QUALIFY FOR A LICENSE AS AN  
50 ORIENTATION AND MOBILITY SPECIALIST, AN APPLICANT SHALL FULFILL THE  
51 FOLLOWING REQUIREMENTS:

52 (A) APPLICATION: FILE AN APPLICATION WITH THE DEPARTMENT;

53 (B) EDUCATION/EXPERIENCE: (I) HAVE SATISFACTORILY COMPLETED AN  
54 APPROVED ORIENTATION AND MOBILITY CURRICULUM IN A BACCALAUREATE OR  
55 MASTERS PROGRAM, OR A CERTIFICATE PROGRAM SATISFACTORY TO THE DEPARTMENT

1 WHICH IS SUBSTANTIALLY EQUIVALENT TO A BACCALAUREATE DEGREE PROGRAM, IN  
2 ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS; AND  
3 (II) HAVE A MINIMUM OF THREE MONTHS OF SUPERVISED ORIENTATION AND  
4 MOBILITY EXPERIENCE WHICH SUPERVISION AND EXPERIENCE SHALL BE SATISFAC-  
5 TORY TO THE STATE BOARD FOR VISION REHABILITATION SERVICES AND IN  
6 ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS;  
7 (C) EXAMINATION: PASS THE ACADEMY FOR CERTIFICATION OF VISION REHABIL-  
8 ITATION AND EDUCATION PROFESSIONALS EXAMINATION OR ITS EQUIVALENT EXAM-  
9 INATION SATISFACTORY TO THE BOARD AND IN ACCORDANCE WITH THE COMMISSION-  
10 ER'S REGULATIONS;  
11 (D) AGE: BE AT LEAST TWENTY-ONE YEARS OF AGE;  
12 (E) CHARACTER: BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPART-  
13 MENT;  
14 (F) REGISTRATION: ALL LICENSED ORIENTATION AND MOBILITY SPECIALISTS  
15 SHALL REGISTER TRIENNIALLY WITH THE DEPARTMENT IN ACCORDANCE WITH THE  
16 COMMISSIONER'S REGULATION;  
17 (G) MANDATORY CONTINUING COMPETENCY: (I)(A) EACH LICENSED ORIENTATION  
18 AND MOBILITY SPECIALIST REQUIRED UNDER THIS ARTICLE TO REGISTER TRIENNI-  
19 ALLY WITH THE DEPARTMENT TO PRACTICE IN THE STATE SHALL COMPLY WITH THE  
20 PROVISIONS OF THE MANDATORY CONTINUING COMPETENCY REQUIREMENTS  
21 PRESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, EXCEPT AS PROVIDED IN  
22 CLAUSES (B) AND (C) OF THIS SUBPARAGRAPH. ORIENTATION AND MOBILITY  
23 SPECIALISTS WHO DO NOT SATISFY THE MANDATORY CONTINUING COMPETENCY  
24 REQUIREMENTS SHALL NOT BE AUTHORIZED TO PRACTICE UNTIL THEY HAVE MET  
25 SUCH REQUIREMENTS, AND THEY HAVE BEEN ISSUED A REGISTRATION CERTIFICATE,  
26 EXCEPT THAT AN ORIENTATION AND MOBILITY SPECIALIST MAY PRACTICE WITHOUT  
27 HAVING MET SUCH REQUIREMENTS IF HE OR SHE IS ISSUED A CONDITIONAL REGIS-  
28 TRATION PURSUANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH.  
29 (B) ORIENTATION AND MOBILITY SPECIALISTS SHALL BE EXEMPT FROM THE  
30 MANDATORY CONTINUING COMPETENCY REQUIREMENT FOR THE TRIENNIAL REGISTRA-  
31 TION PERIOD DURING WHICH THEY ARE FIRST LICENSED. ADJUSTMENT TO THE  
32 MANDATORY CONTINUING COMPETENCY REQUIREMENTS MAY BE GRANTED BY THE  
33 DEPARTMENT FOR REASONS OF HEALTH OF THE LICENSEE WHERE CERTIFIED BY AN  
34 APPROPRIATE HEALTH CARE PROFESSIONAL, FOR EXTENDED ACTIVE DUTY WITH THE  
35 ARMED FORCES OF THE UNITED STATES, OR FOR OTHER GOOD CAUSE ACCEPTABLE TO  
36 THE DEPARTMENT WHICH MAY PREVENT COMPLIANCE.  
37 (C) A LICENSED ORIENTATION AND MOBILITY SPECIALIST NOT ENGAGED IN  
38 PRACTICE, AS DETERMINED BY THE DEPARTMENT, SHALL BE EXEMPT FROM THE  
39 MANDATORY CONTINUING COMPETENCY REQUIREMENT UPON THE FILING OF A STATE-  
40 MENT WITH THE DEPARTMENT DECLARING SUCH STATUS. ANY LICENSEE WHO RETURNS  
41 TO PRACTICE OF THE PROFESSION OF ORIENTATION AND MOBILITY SPECIALIST  
42 DURING THE TRIENNIAL REGISTRATION PERIOD SHALL NOTIFY THE DEPARTMENT  
43 PRIOR TO REENTERING THE PROFESSION AND SHALL MEET SUCH MANDATORY CONTIN-  
44 UING COMPETENCY REQUIREMENTS AS SHALL BE PRESCRIBED BY REGULATIONS OF  
45 THE COMMISSIONER.  
46 (II) DURING EACH TRIENNIAL REGISTRATION PERIOD AN APPLICANT FOR REGIS-  
47 TRATION AS AN ORIENTATION AND MOBILITY SPECIALIST SHALL COMPLETE A MINI-  
48 MUM OF TWENTY-FOUR HOURS OF ACCEPTABLE LEARNING ACTIVITIES WHICH  
49 CONTRIBUTE TO CONTINUING COMPETENCE, AS SPECIFIED IN SUBPARAGRAPH (IV)  
50 OF THIS PARAGRAPH, PROVIDED FURTHER THAT AT LEAST SIXTEEN HOURS SHALL BE  
51 IN RECOGNIZED AREAS OF STUDY PERTINENT TO THE PROFESSIONAL SCOPE OF A  
52 LICENSED ORIENTATION AND MOBILITY SPECIALIST. ANY ORIENTATION AND MOBIL-  
53 ITY SPECIALIST WHOSE FIRST REGISTRATION DATE FOLLOWING THE EFFECTIVE  
54 DATE OF THIS SECTION OCCURS LESS THAN THREE YEARS FROM SUCH EFFECTIVE  
55 DATE, BUT ON OR AFTER JANUARY FIRST, TWO THOUSAND TWELVE, SHALL COMPLETE  
56 CONTINUING COMPETENCY HOURS ON A PRORATED BASIS AT THE RATE OF ONE-HALF

1 HOUR PER MONTH FOR THE PERIOD BEGINNING JANUARY FIRST, TWO THOUSAND  
2 TWELVE UP TO THE FIRST REGISTRATION DATE. THEREAFTER, A LICENSEE WHO HAS  
3 NOT SATISFIED THE MANDATORY CONTINUING COMPETENCY REQUIREMENTS SHALL NOT  
4 BE ISSUED A TRIENNIAL REGISTRATION CERTIFICATE BY THE DEPARTMENT AND  
5 SHALL NOT PRACTICE UNLESS AND UNTIL A CONDITIONAL REGISTRATION CERTIF-  
6 ICATE IS ISSUED AS PROVIDED FOR IN SUBPARAGRAPH (III) OF THIS PARAGRAPH.  
7 CONTINUING COMPETENCY HOURS TAKEN DURING ONE TRIENNIUM MAY NOT BE TRANS-  
8 FERRED TO A SUBSEQUENT TRIENNIUM.

9 (III) THE DEPARTMENT, IN ITS DISCRETION, MAY ISSUE A CONDITIONAL  
10 REGISTRATION TO A LICENSEE WHO FAILS TO MEET THE CONTINUING COMPETENCY  
11 REQUIREMENTS ESTABLISHED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, BUT WHO  
12 AGREES TO MAKE UP ANY DEFICIENCIES AND COMPLETE ANY ADDITIONAL LEARNING  
13 ACTIVITIES WHICH THE DEPARTMENT MAY REQUIRE. THE FEE FOR SUCH A CONDI-  
14 TIONAL REGISTRATION SHALL BE THE SAME AS, AND IN ADDITION TO, THE FEE  
15 FOR THE TRIENNIAL REGISTRATION. THE DURATION OF SUCH CONDITIONAL REGIS-  
16 TRATION SHALL BE DETERMINED BY THE DEPARTMENT BUT SHALL NOT EXCEED ONE  
17 YEAR. ANY LICENSEE WHO IS NOTIFIED OF THE DENIAL OF REGISTRATION FOR  
18 FAILURE TO SUBMIT EVIDENCE, SATISFACTORY TO THE DEPARTMENT, OF REQUIRED  
19 CONTINUING COMPETENCY LEARNING ACTIVITIES AND WHO PRACTICES WITHOUT SUCH  
20 REGISTRATION, MAY BE SUBJECT TO DISCIPLINARY PROCEEDINGS PURSUANT TO  
21 SECTION SIXTY-FIVE HUNDRED TEN OF THIS TITLE.

22 (IV) AS USED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, "ACCEPTABLE  
23 LEARNING ACTIVITIES" SHALL MEAN ACTIVITIES WHICH CONTRIBUTE TO THE  
24 PROFESSIONAL PRACTICE OF AN ORIENTATION AND MOBILITY SPECIALIST AND  
25 WHICH MEET THE STANDARDS PRESCRIBED IN THE REGULATIONS OF THE COMMIS-  
26 SIONER. SUCH LEARNING ACTIVITIES SHALL INCLUDE, BUT NOT BE LIMITED TO,  
27 COLLEGIATE LEVEL CREDIT AND NON-CREDIT COURSES, SELF-STUDY ACTIVITIES,  
28 INDEPENDENT STUDY, FORMAL MENTORING ACTIVITIES, PUBLICATIONS IN PROFES-  
29 SIONAL JOURNALS, PROFESSIONAL DEVELOPMENT PROGRAMS AND TECHNICAL  
30 SESSIONS; SUCH LEARNING ACTIVITIES MAY BE OFFERED AND SPONSORED BY  
31 NATIONAL, STATE AND LOCAL PROFESSIONAL ASSOCIATIONS AND OTHER ORGANIZA-  
32 TIONS OR PARTIES ACCEPTABLE TO THE DEPARTMENT, AND ANY OTHER ORGANIZED  
33 EDUCATIONAL AND TECHNICAL LEARNING ACTIVITIES ACCEPTABLE TO THE DEPART-  
34 MENT. RECOGNIZED AREAS OF STUDY SHALL INCLUDE BUT NOT BE LIMITED TO:  
35 KNOWLEDGE AND SKILLS TRAINING IN ORIENTATION, MOBILITY, NAVIGATION,  
36 INDEPENDENT LIVING, COMMUNICATIONS AND USE OF PRESCRIBED AND, ADAPTIVE  
37 OPTICAL DEVICES; UTILIZATION OF SPECIALIZED TECHNIQUES AND EQUIPMENT  
38 INTENDED FOR USE BY PERSONS WHO ARE VISUALLY IMPAIRED; THE MEDICAL  
39 ASPECTS OF VISION LOSS AND ITS FUNCTIONAL IMPACT ON PERSONS WHO ARE  
40 VISUALLY IMPAIRED; AND SUCH OTHER TECHNICAL SUBJECT MATTER AREAS APPRO-  
41 PRIATELY RELATED TO THE PRACTICE OF VISION REHABILITATION SERVICES AS  
42 MAY BE SATISFACTORY TO THE BOARD AND IN ACCORDANCE WITH THE COMMISSION-  
43 ER'S REGULATIONS. THE DEPARTMENT MAY, IN ITS DISCRETION AND AS NEEDED TO  
44 CONTRIBUTE TO THE HEALTH AND WELFARE OF THE PUBLIC, REQUIRE THE  
45 COMPLETION OF CONTINUING COMPETENCY LEARNING ACTIVITIES IN SPECIFIC  
46 SUBJECTS TO FULFILL THIS MANDATORY CONTINUING COMPETENCY REQUIREMENT.  
47 LEARNING ACTIVITIES MUST BE TAKEN FROM A SPONSOR APPROVED BY THE DEPART-  
48 MENT, PURSUANT TO THE REGULATIONS OF THE COMMISSIONER.

49 (V) ORIENTATION AND MOBILITY SPECIALISTS SHALL MAINTAIN ADEQUATE  
50 DOCUMENTATION OF COMPLETION OF ACCEPTABLE CONTINUING COMPETENCY LEARNING  
51 ACTIVITIES AND SHALL PROVIDE SUCH DOCUMENTATION AT THE REQUEST OF THE  
52 DEPARTMENT. FAILURE TO PROVIDE SUCH DOCUMENTATION UPON THE REQUEST OF  
53 THE DEPARTMENT SHALL BE AN ACT OF MISCONDUCT SUBJECT TO DISCIPLINARY  
54 PROCEEDINGS PURSUANT TO SECTION SIXTY-FIVE HUNDRED TEN OF THIS TITLE.

55 (VI) THE MANDATORY CONTINUING COMPETENCY FEE SHALL BE FIFTY DOLLARS,  
56 SHALL BE PAYABLE ON OR BEFORE THE FIRST DAY OF EACH TRIENNIAL REGISTRA-

1 TION PERIOD, AND SHALL BE PAID IN ADDITION TO THE TRIENNIAL REGISTRATION  
2 FEE REQUIRED BY PARAGRAPH (H) OF THIS SUBDIVISION.

3 (H) FEES: PAY A FEE OF ONE HUNDRED SEVENTY-FIVE DOLLARS FOR AN INITIAL  
4 LICENSE AND A FEE OF ONE HUNDRED FIFTY-FIVE DOLLARS FOR EACH TRIENNIAL  
5 REGISTRATION PERIOD.

6 2. TO QUALIFY FOR A LICENSE AS A VISION REHABILITATION THERAPIST AN  
7 APPLICANT SHALL FULFILL THE FOLLOWING REQUIREMENTS:

8 (A) APPLICATION: FILE AN APPLICATION WITH THE DEPARTMENT;

9 (B) EDUCATION/EXPERIENCE: (I) HAVE SATISFACTORILY COMPLETED AN  
10 APPROVED VISION REHABILITATION THERAPIST CURRICULUM IN A BACCALAUREATE  
11 OR MASTERS PROGRAM, OR A CERTIFICATE PROGRAM SATISFACTORY TO THE DEPART-  
12 MENT WHICH IS SUBSTANTIALLY EQUIVALENT TO A BACCALAUREATE DEGREE  
13 PROGRAM, IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS; AND

14 (II) HAVE A MINIMUM OF THREE MONTHS OF SUPERVISED VISION REHABILI-  
15 TATION THERAPIST EXPERIENCE WHICH SUPERVISION AND EXPERIENCE SHALL BE  
16 SATISFACTORY TO THE STATE BOARD FOR VISION REHABILITATION SERVICES AND  
17 IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS;

18 (C) EXAMINATION: PASS THE ACADEMY FOR CERTIFICATION OF VISION REHABIL-  
19 ITATION AND EDUCATION PROFESSIONALS EXAMINATION OR ITS EQUIVALENT EXAM-  
20 INATION SATISFACTORY TO THE BOARD AND IN ACCORDANCE WITH THE COMMISSION-  
21 ER'S REGULATIONS;

22 (D) AGE: BE AT LEAST TWENTY-ONE YEARS OF AGE;

23 (E) CHARACTER: BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPART-  
24 MENT;

25 (F) REGISTRATION: ALL LICENSED VISION REHABILITATION THERAPISTS SHALL  
26 REGISTER TRIENNIALLY WITH THE DEPARTMENT IN ACCORDANCE WITH THE COMMIS-  
27 SIONER'S REGULATIONS;

28 (G) MANDATORY CONTINUING COMPETENCY: (I) (A) EACH LICENSED VISION  
29 REHABILITATION THERAPIST REQUIRED UNDER THIS ARTICLE TO REGISTER TRIEN-  
30 NIALLY WITH THE DEPARTMENT TO PRACTICE IN THE STATE SHALL COMPLY WITH  
31 THE PROVISIONS OF THE MANDATORY CONTINUING COMPETENCY REQUIREMENTS  
32 PRESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, EXCEPT AS PROVIDED IN  
33 CLAUSES (B) AND (C) OF THIS PARAGRAPH. VISION REHABILITATION THERAPISTS  
34 WHO DO NOT SATISFY THE MANDATORY CONTINUING COMPETENCY REQUIREMENTS  
35 SHALL NOT BE AUTHORIZED TO PRACTICE UNTIL THEY HAVE MET SUCH REQUIRE-  
36 MENTS, AND THEY HAVE BEEN ISSUED A REGISTRATION CERTIFICATE, EXCEPT THAT  
37 A VISION REHABILITATION THERAPIST MAY PRACTICE WITHOUT HAVING MET SUCH  
38 REQUIREMENTS IF HE OR SHE IS ISSUED A CONDITIONAL REGISTRATION PURSUANT  
39 TO SUBPARAGRAPH (III) OF THIS PARAGRAPH.

40 (B) VISION REHABILITATION THERAPISTS SHALL BE EXEMPT FROM THE MANDATO-  
41 RY CONTINUING COMPETENCY REQUIREMENT FOR THE TRIENNIAL REGISTRATION  
42 PERIOD DURING WHICH THEY ARE FIRST LICENSED. ADJUSTMENT TO THE MANDATO-  
43 RY CONTINUING COMPETENCY REQUIREMENTS MAY BE GRANTED BY THE DEPARTMENT  
44 FOR REASONS OF HEALTH OF THE LICENSEE WHERE CERTIFIED BY AN APPROPRIATE  
45 HEALTH CARE PROFESSIONAL, FOR EXTENDED ACTIVE DUTY WITH THE ARMED FORCES  
46 OF THE UNITED STATES, OR FOR OTHER GOOD CAUSE ACCEPTABLE TO THE DEPART-  
47 MENT WHICH MAY PREVENT COMPLIANCE.

48 (C) A LICENSED VISION REHABILITATION THERAPIST NOT ENGAGED IN PRAC-  
49 TICE, AS DETERMINED BY THE DEPARTMENT, SHALL BE EXEMPT FROM THE MANDATO-  
50 RY CONTINUING COMPETENCY REQUIREMENT UPON THE FILING OF A STATEMENT WITH  
51 THE DEPARTMENT DECLARING SUCH STATUS. ANY LICENSEE WHO RETURNS TO PRAC-  
52 TICE OF VISION REHABILITATION THERAPY DURING THE TRIENNIAL REGISTRATION  
53 PERIOD SHALL NOTIFY THE DEPARTMENT PRIOR TO REENTERING THE PROFESSION  
54 AND SHALL MEET SUCH MANDATORY CONTINUING COMPETENCY REQUIREMENTS AS  
55 SHALL BE PRESCRIBED BY REGULATIONS OF THE COMMISSIONER.

1 (II) DURING EACH TRIENNIAL REGISTRATION PERIOD AN APPLICANT FOR REGIS-  
2 TRATION AS A VISION REHABILITATION THERAPIST SHALL COMPLETE A MINIMUM OF  
3 TWENTY-FOUR HOURS OF ACCEPTABLE LEARNING ACTIVITIES WHICH CONTRIBUTE TO  
4 CONTINUING COMPETENCE, AS SPECIFIED IN SUBPARAGRAPH (IV) OF THIS PARA-  
5 GRAPH, PROVIDED FURTHER THAT AT LEAST SIXTEEN HOURS SHALL BE IN RECOG-  
6 NIZED AREAS OF STUDY PERTINENT TO THE PROFESSIONAL SCOPE OF A LICENSED  
7 VISION REHABILITATION THERAPIST. ANY VISION REHABILITATION THERAPIST  
8 WHOSE FIRST REGISTRATION DATE FOLLOWING THE EFFECTIVE DATE OF THIS  
9 SECTION OCCURS LESS THAN THREE YEARS FROM SUCH EFFECTIVE DATE, BUT ON OR  
10 AFTER JANUARY FIRST, TWO THOUSAND TWELVE, SHALL COMPLETE CONTINUING  
11 COMPETENCY HOURS ON A PRORATED BASIS AT THE RATE OF ONE-HALF HOUR PER  
12 MONTH FOR THE PERIOD BEGINNING JANUARY FIRST, TWO THOUSAND TWELVE UP TO  
13 THE FIRST REGISTRATION DATE. THEREAFTER, A LICENSEE WHO HAS NOT SATIS-  
14 FIED THE MANDATORY CONTINUING COMPETENCY REQUIREMENTS SHALL NOT BE  
15 ISSUED A TRIENNIAL REGISTRATION CERTIFICATE BY THE DEPARTMENT AND SHALL  
16 NOT PRACTICE UNLESS AND UNTIL A CONDITIONAL REGISTRATION CERTIFICATE IS  
17 ISSUED AS PROVIDED FOR IN SUBPARAGRAPH (III) OF THIS PARAGRAPH. CONTIN-  
18 UING COMPETENCY HOURS TAKEN DURING ONE TRIENNIUM MAY NOT BE TRANSFERRED  
19 TO A SUBSEQUENT TRIENNIUM.

20 (III) THE DEPARTMENT, IN ITS DISCRETION, MAY ISSUE A CONDITIONAL  
21 REGISTRATION TO A LICENSEE WHO FAILS TO MEET THE CONTINUING COMPETENCY  
22 REQUIREMENTS ESTABLISHED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, BUT WHO  
23 AGREES TO MAKE UP ANY DEFICIENCIES AND COMPLETE ANY ADDITIONAL LEARNING  
24 ACTIVITIES WHICH THE DEPARTMENT MAY REQUIRE. THE FEE FOR SUCH A CONDI-  
25 TIONAL REGISTRATION SHALL BE THE SAME AS, AND IN ADDITION TO, THE FEE  
26 FOR THE TRIENNIAL REGISTRATION. THE DURATION OF SUCH CONDITIONAL REGIS-  
27 TRATION SHALL BE DETERMINED BY THE DEPARTMENT BUT SHALL NOT EXCEED ONE  
28 YEAR. ANY LICENSEE WHO IS NOTIFIED OF THE DENIAL OF REGISTRATION FOR  
29 FAILURE TO SUBMIT EVIDENCE, SATISFACTORY TO THE DEPARTMENT, OF REQUIRED  
30 CONTINUING COMPETENCY LEARNING ACTIVITIES AND WHO PRACTICES WITHOUT SUCH  
31 REGISTRATION, MAY BE SUBJECT TO DISCIPLINARY PROCEEDINGS PURSUANT TO  
32 SECTION SIXTY-FIVE HUNDRED TEN OF THIS TITLE.

33 (IV) AS USED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, "ACCEPTABLE  
34 LEARNING ACTIVITIES" SHALL MEAN ACTIVITIES WHICH CONTRIBUTE TO THE  
35 PROFESSIONAL PRACTICE OF A VISION REHABILITATION THERAPIST AND WHICH  
36 MEET THE STANDARDS PRESCRIBED IN THE REGULATIONS OF THE COMMISSIONER.  
37 SUCH LEARNING ACTIVITIES SHALL INCLUDE, BUT NOT BE LIMITED TO, COLLEGI-  
38 ATE LEVEL CREDIT AND NON-CREDIT COURSES, SELF-STUDY ACTIVITIES, INDE-  
39 PENDENT STUDY, FORMAL MENTORING ACTIVITIES, PUBLICATIONS IN PROFESSIONAL  
40 JOURNALS, PROFESSIONAL DEVELOPMENT PROGRAMS AND TECHNICAL SESSIONS; SUCH  
41 LEARNING ACTIVITIES MAY BE OFFERED AND SPONSORED BY NATIONAL, STATE AND  
42 LOCAL PROFESSIONAL ASSOCIATIONS AND OTHER ORGANIZATIONS OR PARTIES  
43 ACCEPTABLE TO THE DEPARTMENT, AND ANY OTHER ORGANIZED EDUCATIONAL AND  
44 TECHNICAL LEARNING ACTIVITIES ACCEPTABLE TO THE DEPARTMENT. RECOGNIZED  
45 AREAS OF STUDY SHALL INCLUDE BUT NOT BE LIMITED TO: KNOWLEDGE AND SKILLS  
46 TRAINING IN MOBILITY, NAVIGATION, INDEPENDENT LIVING, COMMUNICATIONS AND  
47 ORIENTATION, USE OF PRESCRIBED AND, ADAPTIVE OPTICAL DEVICES; UTILIZA-  
48 TION OF SPECIALIZED TECHNIQUES AND EQUIPMENT INTENDED FOR USE BY PERSONS  
49 WHO ARE VISUALLY IMPAIRED; THE MEDICAL ASPECTS OF VISION LOSS AND ITS  
50 FUNCTIONAL IMPACT ON PERSONS WHO ARE VISUALLY IMPAIRED; AND SUCH OTHER  
51 TECHNICAL SUBJECT MATTER AREAS APPROPRIATELY RELATED TO THE PRACTICE OF  
52 VISION REHABILITATION SERVICES AS MAY BE SATISFACTORY TO THE BOARD AND  
53 IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS. THE DEPARTMENT MAY,  
54 IN ITS DISCRETION AND AS NEEDED TO CONTRIBUTE TO THE HEALTH AND WELFARE  
55 OF THE PUBLIC, REQUIRE THE COMPLETION OF CONTINUING COMPETENCY LEARNING  
56 ACTIVITIES IN SPECIFIC SUBJECTS TO FULFILL THIS MANDATORY CONTINUING

1 COMPETENCY REQUIREMENT. LEARNING ACTIVITIES MUST BE TAKEN FROM A SPON-  
2 SOR APPROVED BY THE DEPARTMENT, PURSUANT TO THE REGULATIONS OF THE  
3 COMMISSIONER.

4 (V) VISION REHABILITATION THERAPISTS SHALL MAINTAIN ADEQUATE DOCUMEN-  
5 TATION OF COMPLETION OF ACCEPTABLE CONTINUING COMPETENCY LEARNING ACTIV-  
6 ITIES AND SHALL PROVIDE SUCH DOCUMENTATION AT THE REQUEST OF THE DEPART-  
7 MENT. FAILURE TO PROVIDE SUCH DOCUMENTATION UPON THE REQUEST OF THE  
8 DEPARTMENT SHALL BE AN ACT OF MISCONDUCT SUBJECT TO DISCIPLINARY  
9 PROCEEDINGS PURSUANT TO SECTION SIXTY-FIVE HUNDRED TEN OF THIS TITLE.

10 (VI) THE MANDATORY CONTINUING COMPETENCY FEE SHALL BE FIFTY DOLLARS,  
11 SHALL BE PAYABLE ON OR BEFORE THE FIRST DAY OF EACH TRIENNIAL REGISTRA-  
12 TION PERIOD, AND SHALL BE PAID IN ADDITION TO THE TRIENNIAL REGISTRATION  
13 FEE REQUIRED BY PARAGRAPH (H) OF THIS SUBDIVISION.

14 (H) FEES: PAY A FEE OF ONE HUNDRED SEVENTY-FIVE DOLLARS FOR AN INITIAL  
15 LICENSE AND A FEE OF ONE HUNDRED FIFTY-FIVE DOLLARS FOR EACH TRIENNIAL  
16 REGISTRATION PERIOD.

17 S 8805. LIMITED PERMITS. PERMITS LIMITED AS TO ELIGIBILITY, PRACTICE  
18 AND DURATION SHALL BE ISSUED BY THE DEPARTMENT TO ELIGIBLE APPLICANTS AS  
19 FOLLOWS:

20 1. ELIGIBILITY. A PERSON WHO FULFILLS ALL REQUIREMENTS FOR AN ORIEN-  
21 TATION AND MOBILITY SPECIALIST OR VISION REHABILITATION THERAPIST,  
22 EXCEPT THAT RELATING TO THE EXAMINATION, SHALL BE ELIGIBLE FOR A LIMITED  
23 PERMIT.

24 2. LIMIT OF PRACTICE. ALL PRACTICE UNDER A LIMITED PERMIT SHALL BE  
25 UNDER THE DIRECT SUPERVISION OF A LICENSED ORIENTATION AND MOBILITY  
26 SPECIALIST OR A VISION REHABILITATION THERAPIST.

27 3. DURATION. A LIMITED PERMIT SHALL EXPIRE ONE YEAR FROM THE DATE OF  
28 ISSUANCE OR UPON NOTICE TO THE PERMITTEE BY THE DEPARTMENT THAT THE  
29 APPLICATION FOR LICENSURE HAS BEEN DENIED, OR UPON NOTICE TO THE PERMIT-  
30 TEE OF FAILURE ON THE PROFESSIONAL LICENSING EXAMINATION, WHICHEVER  
31 FIRST OCCURS.

32 4. FEES. THE FEE FOR EACH LIMITED PERMIT SHALL BE SEVENTY DOLLARS.

33 S 8806. EXEMPT PERSONS. THIS ARTICLE SHALL NOT BE CONSTRUED TO AFFECT  
34 OR PREVENT THE FOLLOWING, PROVIDED THAT NO TITLE, SIGN, CARD OR DEVICE  
35 SHALL BE USED IN SUCH MANNER AS TO TEND TO CONVEY THE IMPRESSION THAT  
36 THE PERSON RENDERING SUCH SERVICE IS A LICENSED ORIENTATION AND MOBILITY  
37 SPECIALIST OR VISION REHABILITATION THERAPIST:

38 1. THE PRACTICE OF ORIENTATION AND MOBILITY TRAINING OR VISION REHA-  
39 BILITATION THERAPY AS AN INTEGRAL PART OF A PROGRAM OF STUDY BY STUDENTS  
40 ENROLLED IN APPROVED EDUCATIONAL OR TRAINING PROGRAMS IN (A) ORIENTATION  
41 AND MOBILITY TRAINING OR (B) VISION REHABILITATION THERAPY.

42 2. THE PERFORMANCE OF ANY OF THE DUTIES, TASKS AND RESPONSIBILITIES  
43 INCLUDED IN THE DEFINITION OF ORIENTATION AND MOBILITY TRAINING BY ANY  
44 OTHER DULY LICENSED, CERTIFIED OR REGISTERED HEALTH CARE PROVIDER,  
45 PROVIDED THAT SUCH DUTIES, TASKS AND RESPONSIBILITIES ARE WITHIN THE  
46 SCOPE OF HIS OR HER PRACTICE AS DEFINED IN THE ARTICLE PURSUANT TO WHICH  
47 SUCH PERSON IS LICENSED, CERTIFIED OR REGISTERED; PROVIDED, HOWEVER,  
48 THAT SUCH PRACTITIONERS MAY NOT HOLD THEMSELVES OUT UNDER THE TITLE  
49 "LICENSED ORIENTATION AND MOBILITY SPECIALIST" OR AS PERFORMING LICENSED  
50 ORIENTATION AND MOBILITY TRAINING.

51 3. THE PERFORMANCE OF ANY OF THE DUTIES, TASKS AND RESPONSIBILITIES  
52 INCLUDED IN THE DEFINITION OF VISION REHABILITATION THERAPY BY ANY OTHER  
53 DULY LICENSED, CERTIFIED OR REGISTERED HEALTH CARE PROVIDER, PROVIDED  
54 THAT SUCH DUTIES, TASKS AND RESPONSIBILITIES ARE WITHIN THE SCOPE OF HIS  
55 OR HER PRACTICE AS DEFINED IN THE ARTICLE PURSUANT TO WHICH SUCH PERSON  
56 IS LICENSED, CERTIFIED OR REGISTERED; PROVIDED, HOWEVER, THAT SUCH PRAC-

1 TITIONERS MAY NOT HOLD THEMSELVES OUT UNDER THE TITLE "LICENSED VISION  
2 REHABILITATION THERAPIST" OR AS PERFORMING LICENSED VISION REHABILI-  
3 TATION THERAPY.

4 4. THE PRACTICE, CONDUCT, ACTIVITIES, SERVICES OR USE OF ANY TITLE BY  
5 ANY PERSON LICENSED OR OTHERWISE AUTHORIZED TO PRACTICE MEDICINE WITHIN  
6 THE STATE PURSUANT TO ARTICLE ONE HUNDRED THIRTY-ONE OF THIS TITLE OR BY  
7 ANY PERSON REGISTERED TO PERFORM SERVICES AS A PHYSICIAN ASSISTANT  
8 PURSUANT TO ARTICLE ONE HUNDRED THIRTY-ONE-B OF THIS TITLE.

9 5. THE PRACTICE OF ORIENTATION AND MOBILITY TRAINING OR VISION REHA-  
10 BILITATION THERAPY BY ANY LEGALLY QUALIFIED PRACTITIONER OF ORIENTATION  
11 AND MOBILITY TRAINING OR VISION REHABILITATION THERAPY OF ANY OTHER  
12 STATE OR TERRITORY WHO IS SERVING IN THE ARMED FORCES OR THE PUBLIC  
13 HEALTH SERVICE OF THE UNITED STATES WHILE ENGAGED IN THE PERFORMANCE OF  
14 HIS OR HER DUTIES.

15 6. THE INSTRUCTION IN THE USE OF A DOG GUIDE.

16 S 8807. SPECIAL PROVISIONS. A PERSON SHALL BE LICENSED WITHOUT EXAM-  
17 INATION PROVIDED THAT, WITHIN THREE YEARS OF THE EFFECTIVE DATE OF THIS  
18 ARTICLE, SUCH PERSON:

19 1. FILES AN APPLICATION AND PAYS THE APPROPRIATE FEES TO THE DEPART-  
20 MENT;

21 2. (A) HOLDS A BACHELOR'S DEGREE OR HIGHER, OR EQUIVALENT AS DETER-  
22 MINED BY THE DEPARTMENT, WITH A SPECIALIZATION IN ORIENTATION AND MOBIL-  
23 ITY TRAINING; OR (B) HOLDS A BACHELOR'S DEGREE OR HIGHER, OR EQUIVALENT  
24 AS DETERMINED BY THE DEPARTMENT, WITH A SPECIALIZATION IN VISION REHA-  
25 BILITATION THERAPY; OR (C) HOLDS A BACHELOR'S DEGREE OR HIGHER, OR  
26 EQUIVALENT AS DETERMINED BY THE DEPARTMENT IN A REHABILITATION FIELD OR  
27 IN SPECIAL EDUCATION AND (I) HAS COMPLETED ALL ADDITIONALLY REQUIRED  
28 ELEMENTS OF THE ORIENTATION AND MOBILITY TRAINING OR VISION REHABILI-  
29 TATION THERAPY CURRICULUM SATISFACTORY TO THE BOARD AND IN ACCORDANCE  
30 WITH THE COMMISSIONER'S REGULATIONS; OR (II) HAS BEEN CERTIFIED IN  
31 ORIENTATION AND MOBILITY TRAINING OR VISION REHABILITATION THERAPY BY  
32 THE ACADEMY FOR CERTIFICATION OF VISION REHABILITATION AND EDUCATION  
33 PROFESSIONALS OR AN EQUIVALENT NATIONAL CREDENTIALING BODY ACCEPTABLE TO  
34 THE DEPARTMENT; AND

35 3. SUBMITS EVIDENCE OF A MINIMUM OF THREE YEARS EXPERIENCE OR EMPLOY-  
36 MENT IN THE PRACTICE OF ORIENTATION AND MOBILITY TRAINING OR VISION  
37 REHABILITATION THERAPY SATISFACTORY TO THE BOARD AND IN ACCORDANCE WITH  
38 THE COMMISSIONER'S REGULATIONS, WHETHER SUCH EXPERIENCE OR EMPLOYMENT  
39 OCCURS WITHIN OR WITHOUT THIS STATE.

40 S 8808. SEPARABILITY. IF ANY SECTION OF THIS ARTICLE, OR PART THEREOF,  
41 SHALL BE ADJUDGED BY ANY COURT OF COMPETENT JURISDICTION TO BE INVALID,  
42 SUCH JUDGMENT SHALL NOT AFFECT, IMPAIR OR INVALIDATE THE REMAINDER OF  
43 ANY OTHER SECTION OR PART THEREOF.

44 S 2. This act shall take effect July 1, 2012. The commissioner of  
45 education and the board of regents are authorized to promulgate such  
46 rules and regulations and take any other measures as may be necessary  
47 for the timely implementation of this act on or before its effective  
48 date, including but not limited to the appointment of the state board  
49 for vision rehabilitation services, the acceptance and processing of  
50 applications for licensure, and the issuance of licenses.