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

5011--B

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sens. HUNTLEY, BONACIC -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, 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:

Section 1. The education law is amended by adding a new section 6505-d to read as follows:

S 6505-D. COURSE WORK OR TRAINING IN EARLY RECOGNITION OF AND INTERVENTION FOR EATING DISORDERS. EVERY PHYSICIAN, PHYSICIAN ASSISTANT, REGISTERED NURSE, LICENSED PRACTICAL NURSE, PSYCHIATRIST, PSYCHOLOGIST, LICENSED MASTER SOCIAL WORKER, LICENSED CLINICAL SOCIAL WORKER, LICENSED MENTAL HEALTH COUNSELOR, LICENSED MARRIAGE THERAPIST, LICENSED FAMILY THERAPIST, LICENSED DENTIST, LICENSED NUTRITIONIST AND LICENSED PSYCHOANALYST PRACTICING IN THE STATE SHALL, ON OR BEFORE JULY FIRST, TWO THOUSAND ELEVEN, COMPLETE COURSE WORK OR TRAINING APPROVED BY THE DEPARTMENT REGARDING THE EARLY RECOGNITION OF AND INTERVENTION FOR EATING DISORDERS, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH, WHICH SHALL BE CONSISTENT, AS FAR AS APPROPRIATE, WITH ANY STANDARDS OR BEST PRACTICES ESTABLISHED BY THE COMPREHENSIVE CARE CENTERS FOR EATING DISORDERS ESTABLISHED PURSUANT TO ARTICLE TWENTY-SEVEN-J OF THE PUBLIC HEALTH LAW. EACH SUCH PROFESSIONAL SHALL ATTEST TO THE DEPARTMENT AT THE TIME OF REGISTRATION COMMENCING WITH THE FIRST REGISTRATION AFTER JULY FIRST, TWO THOUSAND ELEVEN THAT THE PROFESSIONAL HAS COMPLETED COURSE WORK OR TRAINING IN ACCORDANCE WITH THIS SECTION, PROVIDED,

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

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HOWEVER THAT A PROFESSIONAL SUBJECT TO THE PROVISIONS OF PARAGRAPH (F) OF SUBDIVISION ONE OF SECTION TWENTY-EIGHT HUNDRED FIVE-K OF THE PUBLIC HEALTH LAW SHALL NOT BE REQUIRED TO PRODUCE SUCH DOCUMENTATION OR ATTESTATION AS PRESCRIBED BY THIS SECTION. THE ONE HOUR OF COURSE WORK SHALL CONSIST OF, BUT NOT BE LIMITED TO, INFORMATION REGARDING PHYSICAL, EMOTIONAL, AND BEHAVIORAL INDICATORS OF EATING DISORDERS. THE DEPARTMENT SHALL PROVIDE AN EXEMPTION FROM THIS REQUIREMENT TO ANYONE WHO REQUESTS SUCH AN EXEMPTION AND WHO CLEARLY DEMONSTRATES TO THE DEPARTMENT'S SATISFACTION THAT (I) THERE WOULD BE NO NEED FOR HIM OR HER TO COMPLETE SUCH COURSE WORK OR TRAINING BECAUSE OF THE NATURE OF HIS OR HER PRACTICE, (II) THAT HE OR SHE HAS COMPLETED COURSE WORK OR TRAINING DEEMED BY THE DEPARTMENT TO BE EQUIVALENT TO THE COURSE WORK OR TRAINING APPROVED BY THE DEPARTMENT PURSUANT TO THIS SECTION OR (III) SOME OTHER GOOD CAUSE PREVENTS THEM FROM COMPLETING SUCH COURSE WORK OR TRAINING.

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

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

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