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

7749

I N S E N A T E

May 6, 2010

Introduced by Sen. STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

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,] A STATE AGENCY AS DEFINED IN SECTION 32 OF THE EXECUTIVE LAW 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the use of any title authorized pursuant to article 154 of the education law, except that this section shall be deemed repealed on June 1, [2010] 2014; AND PROVIDED FURTHER, HOWEVER, THAT SUCH ENTITIES SHALL ANNUALLY REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIR OF THE SENATE FINANCE COMMITTEE, THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE AND THE CHAIRS OF THE HIGHER EDUCATION COMMITTEES IN BOTH HOUSES OF THE LEGISLATURE ON THEIR PROGRESS TOWARDS COMPLIANCE WITH ARTICLE 154 OF THE EDUCATION LAW BY JUNE 1 OF EACH YEAR UNTIL THIS SECTION IS REPEALED.

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:

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

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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] SUCH 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 STATE AGENCY AS DEFINED IN SECTION 32 OF THE EXECUTIVE LAW 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, OR PURSUANT TO AUTHORITY GRANTED BY LAW. THIS SECTION SHALL NOT AUTHORIZE THE USE OF ANY TITLE AUTHORIZED PURSUANT TO ARTICLE 153 OR 163 OF THE EDUCATION LAW BY ANY SUCH EMPLOYED PERSON, EXCEPT AS OTHERWISE PROVIDED BY SUCH ARTICLES RESPECTIVELY.

B. THIS SECTION SHALL BE DEEMED REPEALED JULY 1, 2014, PROVIDED, HOWEVER, THAT ENTITIES DESCRIBED IN SUBDIVISION A OF THIS SECTION SHALL ANNUALLY REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIR OF THE SENATE FINANCE COMMITTEE, THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE AND THE CHAIRS OF THE HIGHER EDUCATION COMMITTEES IN BOTH HOUSES OF THE LEGISLATURE ON THEIR PROGRESS TOWARDS COMPLIANCE WITH ARTICLE 163 OF THE EDUCATION LAW BY JUNE 1 OF EACH YEAR UNTIL THIS SECTION IS REPEALED.

S 3. This act shall take effect immediately and be deemed to have been in full force and effect on and after April 1, 2010.