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

10336--B

I N A S S E M B L Y

May 22, 2012

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Codes -- reference changed to the Committee on Higher Education -- 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, in relation to the duties of the professional conduct officer, applicable state board for the profession, or the office of professional discipline to report potential criminal conduct to the appropriate law enforcement official or authority

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

Section 1. Section 6510 of the education law is amended by adding a new subdivision 5-a to read as follows:

5-A. AT ANY TIME, IF THE PROFESSIONAL CONDUCT OFFICER OR HIS OR HER DESIGNEE DESIGNATED TO INVESTIGATE A COMPLAINT OF PROFESSIONAL MISCONDUCT OF A LICENSED HEALTH CARE PROVIDER OR LICENSED MENTAL HEALTH CARE PROVIDER DETERMINES THAT THERE IS A REASONABLE BELIEF THAT AN ACT THAT CONSTITUTES A SEX OFFENSE IDENTIFIED IN PARAGRAPH (H) OF SUBDIVISION THREE OF SECTION 130.05 OF THE PENAL LAW HAS BEEN COMMITTED BY THE LICENSEE AGAINST A CLIENT OR PATIENT DURING A TREATMENT SESSION, CONSULTATION, INTERVIEW, OR EXAMINATION, THE PROFESSIONAL CONDUCT OFFICER OR THE OFFICE OF PROFESSIONAL DISCIPLINE SHALL NOTIFY THE APPROPRIATE LAW ENFORCEMENT OFFICIAL OR AUTHORITY.

S 2. This act shall take effect immediately.

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

LBD15950-05-2