

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

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I N A S S E M B L Y

September 13, 2011

Introduced by M. of A. LUPARDO, GOTTFRIED, TITUS, PAULIN, WEISENBERG, ROSENTHAL, DINOWITZ, PERRY, BENEDETTO, JAFFEE, COLTON, BROOK-KRASNY, MORELLE, PEOPLES-STOKES, LAVINE, WEPRIN, CASTRO, N. RIVERA, STEVENSON, BRONSON, ZEBROWSKI, ROBERTS, ORTIZ, THIELE, MOYA, BRINDISI, SCARBOROUGH -- Multi-Sponsored by -- M. of A. ABINANTI, AUBRY, BARCLAY, BLANKENBUSH, BRAUNSTEIN, BRENNAN, BUTLER, CAHILL, CALHOUN, CASTELLI, CERETTO, CONTE, COOK, CRESPO, CROUCH, CURRAN, CUSICK, CYMBROWITZ, FARRELL, FINCH, FITZPATRICK, GALEF, GIBSON, GOODELL, GRAF, HEVESI, HOOPER, JOHNS, KELLNER, LENTOL, LIFTON, V. LOPEZ, LOSQUADRO, MAGEE, MAISEL, MALLIOTAKIS, MARKEY, McDONOUGH, MCENENY, McKEVITT, McLAUGHLIN, MENG, J. MILLER, M. MILLER, MILLMAN, MONTESANO, MURRAY, RA, RABBITT, RAIA, P. RIVERA, RUSSELL, SALADINO, SCHIMEL, SWEENEY, TENNEY, TITONE -- read once and referred to the Committee on Higher Education -- 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 -- 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 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.

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

LBD09759-08-2

1 8804. REQUIREMENTS FOR A LICENSE.

2 8805. LIMITED PERMITS.

3 8806. EXEMPT PERSONS.

4 8807. SPECIAL PROVISIONS.

5 8808. SEPARABILITY.

6 S 8800. INTRODUCTION. THIS ARTICLE APPLIES TO THE PROFESSION OF VISION
7 REHABILITATION SERVICES, AND PROVIDES FOR THE LICENSING OF LICENSED
8 ORIENTATION AND MOBILITY SPECIALISTS AND VISION REHABILITATION THERA-
9 PISTS. THE GENERAL PROVISIONS FOR ALL PROFESSIONS CONTAINED IN ARTICLE
10 ONE HUNDRED THIRTY OF THIS TITLE SHALL APPLY TO THIS ARTICLE.

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

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

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

43 3. THE PRACTICE OF "VISION REHABILITATION SERVICES" SHALL MEAN PROVID-
44 ING ASSESSMENT AND EVALUATION OF, AND TRAINING FOR, PERSONS WHO ARE
45 VISUALLY IMPAIRED WHEN SUCH ASSESSMENT, EVALUATION AND TRAINING INCORPO-
46 RATES THE FULL RANGE OF SPECIALIZED SKILLS AND TASKS SUBSUMED IN THE TWO
47 PROFESSIONS DEFINED IN THIS SECTION AS: (A) ORIENTATION AND MOBILITY
48 TRAINING AND (B) VISION REHABILITATION THERAPY. SUCH SERVICES SHALL BE
49 RENDERED ON THE PRESCRIPTION OR REFERRAL WHICH MAY BE DIRECTIVE AS TO
50 TREATMENT BY A LICENSED PHYSICIAN OR OPTOMETRIST, PROVIDED HOWEVER THAT
51 NO SUCH TREATMENT DIRECTIVE AND LOW VISION EXAMINATION SHALL BE REQUIRED
52 WHEN THE PERSON BEING REFERRED HAS BEEN DIAGNOSED WITHIN THE PREVIOUS
53 TWELVE MONTHS AS VISUALLY IMPAIRED, BLIND OR LEGALLY BLIND AS THOSE
54 TERMS ARE DEFINED IN SUBDIVISION FIVE OF THIS SECTION AND SUCH SERVICES
55 ARE BEING RENDERED CONSISTENT WITH THAT DIAGNOSIS, PRESCRIPTION OR

1 REFERRAL. VISION REHABILITATION THERAPISTS AND ORIENTATION AND MOBILITY
2 SPECIALISTS MAY NOT PRESCRIBE OPTICAL LOW VISION DEVICES.

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

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

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

27 2. PRACTICE OF VISION REHABILITATION THERAPY AND USE OF THE TITLE
28 "VISION REHABILITATION THERAPIST". ONLY A PERSON LICENSED OR OTHERWISE
29 AUTHORIZED UNDER THIS ARTICLE SHALL PRACTICE VISION REHABILITATION THER-
30 APY OR USE THE TITLE "VISION REHABILITATION THERAPIST" IN CONNECTION
31 WITH HIS OR HER NAME OR WITH ANY TRADE NAME IN THE CONDUCT OF HIS OR HER
32 PROFESSION.

33 S 8803. STATE BOARD FOR VISION REHABILITATION SERVICES. A STATE BOARD
34 FOR VISION REHABILITATION SERVICES SHALL BE APPOINTED BY THE BOARD OF
35 REGENTS UPON THE RECOMMENDATION OF THE COMMISSIONER FOR THE PURPOSE OF
36 ASSISTING THE BOARD OF REGENTS AND THE DEPARTMENT ON MATTERS OF PROFES-
37 SIONAL LICENSING AND PROFESSIONAL CONDUCT IN ACCORDANCE WITH SECTION
38 SIXTY-FIVE HUNDRED EIGHT OF THIS TITLE. THE BOARD SHALL CONSIST OF NOT
39 LESS THAN FOURTEEN INDIVIDUALS, FOUR OF WHOM SHALL BE LICENSED ORIE-
40 NTATION AND MOBILITY SPECIALISTS, FOUR OF WHOM SHALL BE LICENSED VISION
41 REHABILITATION THERAPISTS, ONE OPHTHALMOLOGIST SPECIALIZING IN LOW
42 VISION TREATMENT, ONE OPTOMETRIST SPECIALIZING IN LOW VISION TREATMENT
43 AND FOUR OF WHOM SHALL BE BLIND REPRESENTATIVES OF THE PUBLIC AT LARGE
44 WHOSE NAMES WILL BE PLACED IN NOMINATION FOR THE BOARD FROM ORGANIZA-
45 TIONS OF THE BLIND OR VISUALLY IMPAIRED. MEMBERS OF THE INITIAL BOARD
46 NEED NOT BE LICENSED PRIOR TO THEIR APPOINTMENT TO THE BOARD. OF THE
47 MEMBERS FIRST APPOINTED, FOUR SHALL BE APPOINTED FOR A THREE YEAR TERM,
48 FIVE SHALL BE APPOINTED FOR A FOUR YEAR TERM, AND FIVE SHALL BE
49 APPOINTED FOR A FIVE YEAR TERM. THEREAFTER ALL MEMBERS SHALL SERVE FOR
50 FIVE YEAR TERMS. IN THE EVENT THAT MORE THAN FOURTEEN MEMBERS ARE
51 APPOINTED, A MAJORITY OF THE ADDITIONAL MEMBERS SHALL BE LICENSED ORIE-
52 NTATION AND MOBILITY SPECIALISTS AND LICENSED VISION REHABILITATION THER-
53 APISTS. THE MEMBERS OF THE BOARD SHALL SELECT ONE OF THEMSELVES AS CHAIR
54 TO SERVE FOR A ONE YEAR TERM. AN EXECUTIVE SECRETARY SHALL BE APPOINTED
55 BY THE BOARD OF REGENTS UPON THE RECOMMENDATION OF THE COMMISSIONER.

1 S 8804. REQUIREMENTS FOR A LICENSE. 1. TO QUALIFY FOR A LICENSE AS AN
2 ORIENTATION AND MOBILITY SPECIALIST, AN APPLICANT SHALL FULFILL THE
3 FOLLOWING REQUIREMENTS:
4 (A) APPLICATION: FILE AN APPLICATION WITH THE DEPARTMENT;
5 (B) EDUCATION/EXPERIENCE: (I) HAVE SATISFACTORILY COMPLETED AN
6 APPROVED ORIENTATION AND MOBILITY CURRICULUM IN A BACCALAUREATE OR
7 MASTERS PROGRAM, OR A CERTIFICATE PROGRAM SATISFACTORY TO THE DEPARTMENT
8 WHICH IS SUBSTANTIALLY EQUIVALENT TO A BACCALAUREATE DEGREE PROGRAM, IN
9 ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS; AND
10 (II) HAVE A MINIMUM OF THREE MONTHS OF SUPERVISED ORIENTATION AND
11 MOBILITY EXPERIENCE WHICH SUPERVISION AND EXPERIENCE SHALL BE SATISFAC-
12 TORY TO THE STATE BOARD FOR VISION REHABILITATION SERVICES AND IN
13 ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS;
14 (C) EXAMINATION: PASS AN EXAMINATION SATISFACTORY TO THE BOARD AND IN
15 ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS THAT MAY BE BASED ON AN
16 EXAM UTILIZED BY ANY NATIONALLY RECOGNIZED ACCREDITING OR CERTIFICATION
17 BODY SUCH AS THE ACADEMY FOR CERTIFICATION OF VISION REHABILITATION AND
18 EDUCATION PROFESSIONALS (ACVREP), NATIONAL ORIENTATION AND MOBILITY
19 CERTIFICATE (NOMC) ADMINISTERED BY THE NATIONAL BLINDNESS PROFESSIONAL
20 CERTIFICATION BOARD (NBPCB) OR AN EQUIVALENT EXAM.
21 (D) AGE: BE AT LEAST TWENTY-ONE YEARS OF AGE;
22 (E) CHARACTER: BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPART-
23 MENT;
24 (F) REGISTRATION: ALL LICENSED ORIENTATION AND MOBILITY SPECIALISTS
25 SHALL REGISTER TRIENNIALLY WITH THE DEPARTMENT IN ACCORDANCE WITH THE
26 COMMISSIONER'S REGULATION;
27 (G) MANDATORY CONTINUING COMPETENCY: (I)(A) EACH LICENSED ORIENTATION
28 AND MOBILITY SPECIALIST REQUIRED UNDER THIS ARTICLE TO REGISTER TRIENNI-
29 ALLY WITH THE DEPARTMENT TO PRACTICE IN THE STATE SHALL COMPLY WITH THE
30 PROVISIONS OF THE MANDATORY CONTINUING COMPETENCY REQUIREMENTS
31 PRESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, EXCEPT AS PROVIDED IN
32 CLAUSES (B) AND (C) OF THIS SUBPARAGRAPH. ORIENTATION AND MOBILITY
33 SPECIALISTS WHO DO NOT SATISFY THE MANDATORY CONTINUING COMPETENCY
34 REQUIREMENTS SHALL NOT BE AUTHORIZED TO PRACTICE UNTIL THEY HAVE MET
35 SUCH REQUIREMENTS, AND THEY HAVE BEEN ISSUED A REGISTRATION CERTIFICATE,
36 EXCEPT THAT AN ORIENTATION AND MOBILITY SPECIALIST MAY PRACTICE WITHOUT
37 HAVING MET SUCH REQUIREMENTS IF HE OR SHE IS ISSUED A CONDITIONAL REGIS-
38 TRATION PURSUANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH.
39 (B) ORIENTATION AND MOBILITY SPECIALISTS SHALL BE EXEMPT FROM THE
40 MANDATORY CONTINUING COMPETENCY REQUIREMENT FOR THE TRIENNIAL REGISTRA-
41 TION PERIOD DURING WHICH THEY ARE FIRST LICENSED. ADJUSTMENT TO THE
42 MANDATORY CONTINUING COMPETENCY REQUIREMENTS MAY BE GRANTED BY THE
43 DEPARTMENT FOR REASONS OF HEALTH OF THE LICENSEE WHERE CERTIFIED BY AN
44 APPROPRIATE HEALTH CARE PROFESSIONAL, FOR EXTENDED ACTIVE DUTY WITH THE
45 ARMED FORCES OF THE UNITED STATES, OR FOR OTHER GOOD CAUSE ACCEPTABLE TO
46 THE DEPARTMENT WHICH MAY PREVENT COMPLIANCE.
47 (C) A LICENSED ORIENTATION AND MOBILITY SPECIALIST NOT ENGAGED IN
48 PRACTICE, AS DETERMINED BY THE DEPARTMENT, SHALL BE EXEMPT FROM THE
49 MANDATORY CONTINUING COMPETENCY REQUIREMENT UPON THE FILING OF A STATE-
50 MENT WITH THE DEPARTMENT DECLARING SUCH STATUS. ANY LICENSEE WHO RETURNS
51 TO PRACTICE OF THE PROFESSION OF ORIENTATION AND MOBILITY SPECIALIST
52 DURING THE TRIENNIAL REGISTRATION PERIOD SHALL NOTIFY THE DEPARTMENT
53 PRIOR TO REENTERING THE PROFESSION AND SHALL MEET SUCH MANDATORY CONTIN-
54 UING COMPETENCY REQUIREMENTS AS SHALL BE PRESCRIBED BY REGULATIONS OF
55 THE COMMISSIONER.

1 (II) DURING EACH TRIENNIAL REGISTRATION PERIOD AN APPLICANT FOR REGIS-
2 TRATION AS AN ORIENTATION AND MOBILITY SPECIALIST SHALL COMPLETE A MINI-
3 MUM OF TWENTY-FOUR HOURS OF ACCEPTABLE LEARNING ACTIVITIES WHICH
4 CONTRIBUTE TO CONTINUING COMPETENCE, AS SPECIFIED IN SUBPARAGRAPH (IV)
5 OF THIS PARAGRAPH, PROVIDED FURTHER THAT AT LEAST SIXTEEN HOURS SHALL BE
6 IN RECOGNIZED AREAS OF STUDY PERTINENT TO THE PROFESSIONAL SCOPE OF A
7 LICENSED ORIENTATION AND MOBILITY SPECIALIST. ANY ORIENTATION AND MOBIL-
8 ITY SPECIALIST WHOSE FIRST REGISTRATION DATE FOLLOWING THE EFFECTIVE
9 DATE OF THIS SECTION OCCURS LESS THAN THREE YEARS FROM SUCH EFFECTIVE
10 DATE, BUT ON OR AFTER JANUARY FIRST, TWO THOUSAND FOURTEEN, SHALL
11 COMPLETE CONTINUING COMPETENCY HOURS ON A PRORATED BASIS AT THE RATE OF
12 ONE-HALF HOUR PER MONTH FOR THE PERIOD BEGINNING JANUARY FIRST, TWO
13 THOUSAND FOURTEEN UP TO THE FIRST REGISTRATION DATE. THEREAFTER, A
14 LICENSEE WHO HAS NOT SATISFIED THE MANDATORY CONTINUING COMPETENCY
15 REQUIREMENTS SHALL NOT BE ISSUED A TRIENNIAL REGISTRATION CERTIFICATE BY
16 THE DEPARTMENT AND SHALL NOT PRACTICE UNLESS AND UNTIL A CONDITIONAL
17 REGISTRATION CERTIFICATE IS ISSUED AS PROVIDED FOR IN SUBPARAGRAPH (III)
18 OF THIS PARAGRAPH. CONTINUING COMPETENCY HOURS TAKEN DURING ONE TRIENNI-
19 UM MAY NOT BE TRANSFERRED 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 AN ORIENTATION AND MOBILITY SPECIALIST AND
36 WHICH MEET THE STANDARDS PRESCRIBED IN THE REGULATIONS OF THE COMMIS-
37 SIONER. SUCH LEARNING ACTIVITIES SHALL INCLUDE, BUT NOT BE LIMITED TO,
38 COLLEGIATE LEVEL CREDIT AND NON-CREDIT COURSES, SELF-STUDY ACTIVITIES,
39 INDEPENDENT STUDY, FORMAL MENTORING ACTIVITIES, PUBLICATIONS IN PROFES-
40 SIONAL JOURNALS, PROFESSIONAL DEVELOPMENT PROGRAMS AND TECHNICAL
41 SESSIONS; SUCH LEARNING ACTIVITIES MAY BE OFFERED AND SPONSORED BY
42 NATIONAL, STATE AND LOCAL PROFESSIONAL ASSOCIATIONS AND OTHER ORGANIZA-
43 TIONS OR PARTIES ACCEPTABLE TO THE DEPARTMENT, AND ANY OTHER ORGANIZED
44 EDUCATIONAL AND TECHNICAL LEARNING ACTIVITIES ACCEPTABLE TO THE DEPART-
45 MENT. RECOGNIZED AREAS OF STUDY SHALL INCLUDE BUT NOT BE LIMITED TO:
46 KNOWLEDGE AND SKILLS TRAINING IN ORIENTATION, MOBILITY, NAVIGATION,
47 INDEPENDENT LIVING, COMMUNICATIONS AND USE OF PRESCRIBED AND, ADAPTIVE
48 OPTICAL DEVICES; UTILIZATION OF SPECIALIZED TECHNIQUES AND EQUIPMENT
49 INTENDED FOR USE BY PERSONS WHO ARE VISUALLY IMPAIRED; THE MEDICAL
50 ASPECTS OF VISION LOSS AND ITS FUNCTIONAL IMPACT ON PERSONS WHO ARE
51 VISUALLY IMPAIRED; AND SUCH OTHER TECHNICAL SUBJECT MATTER AREAS APPRO-
52 PRIATELY RELATED TO THE PRACTICE OF VISION REHABILITATION SERVICES AS
53 MAY BE SATISFACTORY TO THE BOARD AND IN ACCORDANCE WITH THE COMMISSION-
54 ER'S REGULATIONS. THE DEPARTMENT MAY, IN ITS DISCRETION AND AS NEEDED TO
55 CONTRIBUTE TO THE HEALTH AND WELFARE OF THE PUBLIC, REQUIRE THE
56 COMPLETION OF CONTINUING COMPETENCY LEARNING ACTIVITIES IN SPECIFIC

1 SUBJECTS TO FULFILL THIS MANDATORY CONTINUING COMPETENCY REQUIREMENT.
2 LEARNING ACTIVITIES MUST BE TAKEN FROM A SPONSOR APPROVED BY THE DEPART-
3 MENT, PURSUANT TO THE REGULATIONS OF THE COMMISSIONER.
4 (V) ORIENTATION AND MOBILITY SPECIALISTS SHALL MAINTAIN ADEQUATE
5 DOCUMENTATION OF COMPLETION OF ACCEPTABLE CONTINUING COMPETENCY LEARNING
6 ACTIVITIES AND SHALL PROVIDE SUCH DOCUMENTATION AT THE REQUEST OF THE
7 DEPARTMENT. FAILURE TO PROVIDE SUCH DOCUMENTATION UPON THE REQUEST OF
8 THE 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 2. TO QUALIFY FOR A LICENSE AS A VISION REHABILITATION THERAPIST AN
18 APPLICANT SHALL FULFILL THE FOLLOWING REQUIREMENTS:
19 (A) APPLICATION: FILE AN APPLICATION WITH THE DEPARTMENT;
20 (B) EDUCATION/EXPERIENCE: (I) HAVE SATISFACTORILY COMPLETED AN
21 APPROVED VISION REHABILITATION THERAPIST CURRICULUM IN A BACCALAUREATE
22 OR MASTERS PROGRAM, OR A CERTIFICATE PROGRAM SATISFACTORY TO THE DEPART-
23 MENT WHICH IS SUBSTANTIALLY EQUIVALENT TO A BACCALAUREATE DEGREE
24 PROGRAM, IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS; AND
25 (II) HAVE A MINIMUM OF THREE MONTHS OF SUPERVISED VISION REHABILI-
26 TATION THERAPIST EXPERIENCE WHICH SUPERVISION AND EXPERIENCE SHALL BE
27 SATISFACTORY TO THE STATE BOARD FOR VISION REHABILITATION SERVICES AND
28 IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS;
29 (C) EXAMINATION: PASS AN EXAMINATION SATISFACTORY TO THE BOARD AND IN
30 ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS THAT MAY BE BASED ON AN
31 EXAM UTILIZED BY ANY NATIONALLY RECOGNIZED ACCREDITING OR CERTIFICATION
32 BODY SUCH AS THE ACADEMY FOR CERTIFICATION OF VISION REHABILITATION AND
33 EDUCATION PROFESSIONALS (ACVREP), NATIONAL ORIENTATION AND MOBILITY
34 CERTIFICATE (NOMC) ADMINISTERED BY THE NATIONAL BLINDNESS PROFESSIONAL
35 CERTIFICATION BOARD (NBPCB) OR AN EQUIVALENT EXAM.
36 (D) AGE: BE AT LEAST TWENTY-ONE YEARS OF AGE;
37 (E) CHARACTER: BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPART-
38 MENT;
39 (F) REGISTRATION: ALL LICENSED VISION REHABILITATION THERAPISTS SHALL
40 REGISTER TRIENNIALLY WITH THE DEPARTMENT IN ACCORDANCE WITH THE COMMIS-
41 SIONER'S REGULATIONS;
42 (G) MANDATORY CONTINUING COMPETENCY: (I) (A) EACH LICENSED VISION
43 REHABILITATION THERAPIST REQUIRED UNDER THIS ARTICLE TO REGISTER TRIEN-
44 NIALY WITH THE DEPARTMENT TO PRACTICE IN THE STATE SHALL COMPLY WITH
45 THE PROVISIONS OF THE MANDATORY CONTINUING COMPETENCY REQUIREMENTS
46 PRESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, EXCEPT AS PROVIDED IN
47 CLAUSES (B) AND (C) OF THIS PARAGRAPH. VISION REHABILITATION THERAPISTS
48 WHO DO NOT SATISFY THE MANDATORY CONTINUING COMPETENCY REQUIREMENTS
49 SHALL NOT BE AUTHORIZED TO PRACTICE UNTIL THEY HAVE MET SUCH REQUIRE-
50 MENTS, AND THEY HAVE BEEN ISSUED A REGISTRATION CERTIFICATE, EXCEPT THAT
51 A VISION REHABILITATION THERAPIST MAY PRACTICE WITHOUT HAVING MET SUCH
52 REQUIREMENTS IF HE OR SHE IS ISSUED A CONDITIONAL REGISTRATION PURSUANT
53 TO SUBPARAGRAPH (III) OF THIS PARAGRAPH.
54 (B) VISION REHABILITATION THERAPISTS SHALL BE EXEMPT FROM THE MANDATO-
55 RY CONTINUING COMPETENCY REQUIREMENT FOR THE TRIENNIAL REGISTRATION
56 PERIOD DURING WHICH THEY ARE FIRST LICENSED. ADJUSTMENT TO THE MANDATO-

RY CONTINUING COMPETENCY REQUIREMENTS MAY BE GRANTED BY THE DEPARTMENT FOR REASONS OF HEALTH OF THE LICENSEE WHERE CERTIFIED BY AN APPROPRIATE HEALTH CARE PROFESSIONAL, FOR EXTENDED ACTIVE DUTY WITH THE ARMED FORCES OF THE UNITED STATES, OR FOR OTHER GOOD CAUSE ACCEPTABLE TO THE DEPARTMENT WHICH MAY PREVENT COMPLIANCE.

(C) A LICENSED VISION REHABILITATION THERAPIST NOT ENGAGED IN PRACTICE, AS DETERMINED BY THE DEPARTMENT, SHALL BE EXEMPT FROM THE MANDATORY CONTINUING COMPETENCY REQUIREMENT UPON THE FILING OF A STATEMENT WITH THE DEPARTMENT DECLARING SUCH STATUS. ANY LICENSEE WHO RETURNS TO PRACTICE OF VISION REHABILITATION THERAPY DURING THE TRIENNIAL REGISTRATION PERIOD SHALL NOTIFY THE DEPARTMENT PRIOR TO REENTERING THE PROFESSION AND SHALL MEET SUCH MANDATORY CONTINUING COMPETENCY REQUIREMENTS AS SHALL BE PRESCRIBED BY REGULATIONS OF THE COMMISSIONER.

(II) DURING EACH TRIENNIAL REGISTRATION PERIOD AN APPLICANT FOR REGISTRATION AS A VISION REHABILITATION THERAPIST SHALL COMPLETE A MINIMUM OF TWENTY-FOUR HOURS OF ACCEPTABLE LEARNING ACTIVITIES WHICH CONTRIBUTE TO CONTINUING COMPETENCE, AS SPECIFIED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH, PROVIDED FURTHER THAT AT LEAST SIXTEEN HOURS SHALL BE IN RECOGNIZED AREAS OF STUDY PERTINENT TO THE PROFESSIONAL SCOPE OF A LICENSED VISION REHABILITATION THERAPIST. ANY VISION REHABILITATION THERAPIST WHOSE FIRST REGISTRATION DATE FOLLOWING THE EFFECTIVE DATE OF THIS SECTION OCCURS LESS THAN THREE YEARS FROM SUCH EFFECTIVE DATE, BUT ON OR AFTER JANUARY FIRST, TWO THOUSAND FOURTEEN, SHALL COMPLETE CONTINUING COMPETENCY HOURS ON A PRORATED BASIS AT THE RATE OF ONE-HALF HOUR PER MONTH FOR THE PERIOD BEGINNING JANUARY FIRST, TWO THOUSAND FOURTEEN UP TO THE FIRST REGISTRATION DATE. THEREAFTER, A LICENSEE WHO HAS NOT SATISFIED THE MANDATORY CONTINUING COMPETENCY REQUIREMENTS SHALL NOT BE ISSUED A TRIENNIAL REGISTRATION CERTIFICATE BY THE DEPARTMENT AND SHALL NOT PRACTICE UNLESS AND UNTIL A CONDITIONAL REGISTRATION CERTIFICATE IS ISSUED AS PROVIDED FOR IN SUBPARAGRAPH (III) OF THIS PARAGRAPH. CONTINUING COMPETENCY HOURS TAKEN DURING ONE TRIENNIUM MAY NOT BE TRANSFERRED TO A SUBSEQUENT TRIENNIUM.

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

(IV) AS USED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, "ACCEPTABLE LEARNING ACTIVITIES" SHALL MEAN ACTIVITIES WHICH CONTRIBUTE TO THE PROFESSIONAL PRACTICE OF A VISION REHABILITATION THERAPIST AND WHICH MEET THE STANDARDS PRESCRIBED IN THE REGULATIONS OF THE COMMISSIONER. SUCH LEARNING ACTIVITIES SHALL INCLUDE, BUT NOT BE LIMITED TO, COLLEGIATE LEVEL CREDIT AND NON-CREDIT COURSES, SELF-STUDY ACTIVITIES, INDEPENDENT STUDY, FORMAL MENTORING ACTIVITIES, PUBLICATIONS IN PROFESSIONAL JOURNALS, PROFESSIONAL DEVELOPMENT PROGRAMS AND TECHNICAL SESSIONS; SUCH LEARNING ACTIVITIES MAY BE OFFERED AND SPONSORED BY NATIONAL, STATE AND LOCAL PROFESSIONAL ASSOCIATIONS AND OTHER ORGANIZATIONS OR PARTIES ACCEPTABLE TO THE DEPARTMENT, AND ANY OTHER ORGANIZED EDUCATIONAL AND

1 TECHNICAL LEARNING ACTIVITIES ACCEPTABLE TO THE DEPARTMENT. RECOGNIZED
2 AREAS OF STUDY SHALL INCLUDE BUT NOT BE LIMITED TO: KNOWLEDGE AND SKILLS
3 TRAINING IN MOBILITY, NAVIGATION, INDEPENDENT LIVING, COMMUNICATIONS AND
4 ORIENTATION, USE OF PRESCRIBED AND, ADAPTIVE OPTICAL DEVICES; UTILIZA-
5 TION OF SPECIALIZED TECHNIQUES AND EQUIPMENT INTENDED FOR USE BY PERSONS
6 WHO ARE VISUALLY IMPAIRED; THE MEDICAL ASPECTS OF VISION LOSS AND ITS
7 FUNCTIONAL IMPACT ON PERSONS WHO ARE VISUALLY IMPAIRED; AND SUCH OTHER
8 TECHNICAL SUBJECT MATTER AREAS APPROPRIATELY RELATED TO THE PRACTICE OF
9 VISION REHABILITATION SERVICES AS MAY BE SATISFACTORY TO THE BOARD AND
10 IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS. THE DEPARTMENT MAY,
11 IN ITS DISCRETION AND AS NEEDED TO CONTRIBUTE TO THE HEALTH AND WELFARE
12 OF THE PUBLIC, REQUIRE THE COMPLETION OF CONTINUING COMPETENCY LEARNING
13 ACTIVITIES IN SPECIFIC SUBJECTS TO FULFILL THIS MANDATORY CONTINUING
14 COMPETENCY REQUIREMENT. LEARNING ACTIVITIES MUST BE TAKEN FROM A SPON-
15 SOR APPROVED BY THE DEPARTMENT, PURSUANT TO THE REGULATIONS OF THE
16 COMMISSIONER.

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

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

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

30 S 8805. LIMITED PERMITS. PERMITS LIMITED AS TO ELIGIBILITY, PRACTICE
31 AND DURATION SHALL BE ISSUED BY THE DEPARTMENT TO ELIGIBLE APPLICANTS AS
32 FOLLOWS:

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

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

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

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

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

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

55 2. THE PERFORMANCE OF ANY OF THE DUTIES, TASKS AND RESPONSIBILITIES
56 INCLUDED IN THE DEFINITION OF ORIENTATION AND MOBILITY TRAINING BY ANY

1 OTHER DULY LICENSED, CERTIFIED OR REGISTERED HEALTH CARE PROVIDER,
2 PROVIDED THAT SUCH DUTIES, TASKS AND RESPONSIBILITIES ARE WITHIN THE
3 SCOPE OF HIS OR HER PRACTICE AS DEFINED IN THE ARTICLE PURSUANT TO WHICH
4 SUCH PERSON IS LICENSED, CERTIFIED OR REGISTERED; PROVIDED, HOWEVER,
5 THAT SUCH PRACTITIONERS MAY NOT HOLD THEMSELVES OUT UNDER THE TITLE
6 "LICENSED ORIENTATION AND MOBILITY SPECIALIST" OR AS PERFORMING LICENSED
7 ORIENTATION AND MOBILITY TRAINING.

8 3. THE PERFORMANCE OF ANY OF THE DUTIES, TASKS AND RESPONSIBILITIES
9 INCLUDED IN THE DEFINITION OF VISION REHABILITATION THERAPY BY ANY OTHER
10 DULY LICENSED, CERTIFIED OR REGISTERED HEALTH CARE PROVIDER, PROVIDED
11 THAT SUCH DUTIES, TASKS AND RESPONSIBILITIES ARE WITHIN THE SCOPE OF HIS
12 OR HER PRACTICE AS DEFINED IN THE ARTICLE OR COMMISSIONER'S REGULATION
13 PURSUANT TO WHICH SUCH PERSON IS LICENSED, CERTIFIED OR REGISTERED;
14 PROVIDED, HOWEVER, THAT SUCH PRACTITIONERS MAY NOT HOLD THEMSELVES OUT
15 UNDER THE TITLE "LICENSED VISION REHABILITATION THERAPIST" OR AS
16 PERFORMING LICENSED VISION REHABILITATION THERAPY. WITH THE EXCEPTION
17 THAT OCCUPATIONAL THERAPY MAY HOLD THEMSELVES OUT AS PROVIDING VISION
18 REHABILITATION THERAPY OR VISION REHABILITATION SERVICES.

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

24 5. THE PRACTICE OF ORIENTATION AND MOBILITY TRAINING OR VISION REHA-
25 BILITATION THERAPY BY ANY LEGALLY QUALIFIED PRACTITIONER OF ORIENTATION
26 AND MOBILITY TRAINING OR VISION REHABILITATION THERAPY OF ANY OTHER
27 STATE OR TERRITORY WHO IS SERVING IN THE ARMED FORCES OR THE PUBLIC
28 HEALTH SERVICE OF THE UNITED STATES WHILE ENGAGED IN THE PERFORMANCE OF
29 HIS OR HER DUTIES.

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

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

34 1. FILES AN APPLICATION AND PAYS THE APPROPRIATE FEES TO THE DEPART-
35 MENT;

36 2. (A) HOLDS A BACHELOR'S DEGREE OR HIGHER, OR EQUIVALENT AS DETER-
37 MINED BY THE DEPARTMENT, WITH A SPECIALIZATION IN ORIENTATION AND MOBIL-
38 ITY TRAINING; OR (B) HOLDS A BACHELOR'S DEGREE OR HIGHER, OR EQUIVALENT
39 AS DETERMINED BY THE DEPARTMENT, WITH A SPECIALIZATION IN VISION REHA-
40 BILITATION THERAPY; OR (C) HOLDS A BACHELOR'S DEGREE OR HIGHER, OR
41 EQUIVALENT AS DETERMINED BY THE DEPARTMENT IN A REHABILITATION FIELD OR
42 IN SPECIAL EDUCATION AND (I) HAS COMPLETED ALL ADDITIONALLY REQUIRED
43 ELEMENTS OF THE ORIENTATION AND MOBILITY TRAINING OR VISION REHABILI-
44 TATION THERAPY CURRICULUM SATISFACTORY TO THE BOARD AND IN ACCORDANCE
45 WITH THE COMMISSIONER'S REGULATIONS; OR (II) HAS BEEN CERTIFIED IN
46 ORIENTATION AND MOBILITY TRAINING OR VISION REHABILITATION THERAPY BY A
47 NATIONALLY RECOGNIZED ACCREDITING BODY ACCEPTABLE TO THE DEPARTMENT; AND

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

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

1 S 2. This act shall take effect July 1, 2014. The commissioner of
2 education and the board of regents are authorized to promulgate such
3 rules and regulations and take any other measures as may be necessary
4 for the timely implementation of this act on or before its effective
5 date, including but not limited to the appointment of the state board
6 for vision rehabilitation services, the acceptance and processing of
7 applications for licensure, and the issuance of licenses.