

10284

I N A S S E M B L Y

May 20, 2016

Introduced by M. of A. DenDEKKER -- read once and referred to the
Committee on Higher Education

AN ACT to amend the education law, in relation to granting mental health practitioners the authority to diagnose in certain United States veterans administration facilities; and providing for the repeal of such provisions upon expiration thereof

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

1 Section1. Section 8411 of the education law is amended by adding a new
2 subdivision 4 to read as follows:
3 4. A PROGRAM OR FACILITY OPERATED, FUNDED, OR ADMINISTERED BY THE
4 UNITED STATES VETERANS ADMINISTRATION IN THE STATE OF NEW YORK MAY
5 PARTICIPATE IN A PILOT PROGRAM THAT ALLOWS EMPLOYEES LICENSED PURSUANT
6 TO THIS ARTICLE TO DIAGNOSE MENTAL, EMOTIONAL, BEHAVIORAL, ADDICTIVE AND
7 DEVELOPMENTAL DISORDERS AND DISABILITIES AS WELL AS DIAGNOSE THE PSYCHO-
8 SOCIAL ASPECTS OF ILLNESS, INJURY, DISABILITY AND IMPAIRMENT WHILE
9 ENGAGED IN THE PERFORMANCE OF HIS OR HER DUTIES.
10 (A) TO PARTICIPATE IN THE PILOT PROGRAM, THE PROGRAM OR FACILITY OPER-
11 ATED, FUNDED, OR ADMINISTERED BY THE UNITED STATES VETERANS ADMINIS-
12 TRATION MUST NOTIFY THE DEPARTMENT ON A FORM TO BE CREATED BY THE
13 DEPARTMENT.
14 (B) FOR THE PURPOSE OF THIS ARTICLE, DIAGNOSIS IS THE PROCESS OF
15 DISTINGUISHING, BEYOND A GENERAL ASSESSMENT, BETWEEN SIMILAR MENTAL,
16 EMOTIONAL, BEHAVIORAL, DEVELOPMENTAL AND ADDICTIVE DISORDERS, IMPAIR-
17 MENTS AND DISABILITIES WITHIN A PSYCHOSOCIAL FRAMEWORK ON THE BASIS OF
18 SIMILAR AND UNIQUE CHARACTERISTICS CONSISTENT WITH ACCEPTED CLASSIFICA-
19 TION SYSTEMS.
20 S 2. This act shall take effect on the thirtieth day after it shall
21 have become a law and shall remain in full force and effect until July
22 1, 2018, when upon such date this act shall expire and be deemed
23 repealed; provided however, that effective immediately the commissioner
24 of education is authorized to take any actions necessary to implement
25 this act on or before its effective date.

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

LBD15256-01-6