

1754--A

2015-2016 Regular Sessions

I N S E N A T E

January 14, 2015

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommended to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property tax law, in relation to enabling chiropractors to certify disability; to amend the vehicle and traffic law, in relation to enabling chiropractors to certify disability for the purpose of issuance of handicapped license plates and registration; and to amend the education law, in relation to enabling chiropractors to be employed by school districts to provide school health services

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

1 Section 1. Subdivision 2 of section 459 of the real property tax law,
2 as amended by chapter 265 of the laws of 2013, is amended to read as
3 follows:
4 2. To qualify as physically disabled for the purposes of this section,
5 an individual shall submit to the assessor a certified statement from a
6 physician OR CHIROPRACTOR licensed to practice in the state on a form
7 prescribed and made available by the commissioner which states that the
8 individual has a permanent physical impairment which substantially
9 limits one or more of such individual's major life activities, except
10 that an individual who has obtained a certificate from the state commis-
11 sion for the blind stating that such individual is legally blind may
12 submit such certificate in lieu of a physician's certified statement.
13 S 2. Subdivision 4 and paragraph (b) of subdivision 5 of section 404-a
14 of the vehicle and traffic law as amended by chapter 376 of the laws of
15 2015, are amended to read as follows:
16 4. Issue of plates. The commissioner shall issue sets of plates to
17 such person in accordance with subdivision two of this section with

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

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1 proof of such disability of such person or such members of his or her
2 family certified by a physician, physician assistant, CHIROPRACTOR or
3 nurse practitioner, to the extent authorized by law and consistent with
4 subdivision three of section six thousand nine hundred two of the educa-
5 tion law, or podiatrist pursuant to subdivision four-a of this section
6 or optometrist pursuant to subdivision four-b of this section, to the
7 satisfaction of the commissioner who is empowered to carry out the
8 effects of this section by formulating rules and regulations.

9 For the purposes of this section, a "severely disabled person" shall
10 mean any person having any one or more of the following impairments,
11 disabilities or conditions which are permanent in nature:

12 (a) Has limited or no use of one or both lower limbs;

13 (b) Has a neuro-muscular dysfunction which severely limits mobility;

14 (c) Has a physical or mental impairment or condition which is other
15 than those specified above, but is of such nature as to impose unusual
16 hardship in utilization of public transportation facilities and such
17 condition is certified by a physician, physician assistant or nurse
18 practitioner, to the extent authorized by law and consistent with subdivi-
19 sion three of section six thousand nine hundred two of the education
20 law, duly licensed to practice in this state, or, pursuant to subdivi-
21 sion four-a of this section, a podiatrist duly licensed to practice
22 podiatry in this state or, pursuant to subdivision four-b of this
23 section, an optometrist duly licensed to practice optometry in this
24 state, as constituting an equal degree of disability (specifying the
25 particular condition) so as to prevent such person from getting around
26 without great difficulty in accordance with subdivision two of this
27 section; or

28 (d) A blind person.

29 (b) The commissioner may require the applicant for registration to
30 furnish such proof of his or her disability or such proof of disability
31 of such members of his or her family from a physician, physician assist-
32 ant, CHIROPRACTOR or nurse practitioner, to the extent authorized by law
33 and consistent with subdivision three of section six thousand nine
34 hundred two of the education law, or podiatrist pursuant to subdivision
35 four-a of this section or optometrist pursuant to subdivision four-b of
36 this section, as the commissioner deems necessary either for initial
37 registration or renewal thereof; provided, however, that a handicapped
38 or disabled permit issued by a municipality to such applicant pursuant
39 to section twelve hundred three-a of this chapter shall be deemed suffi-
40 cient proof of disability for purposes of this paragraph.

41 S 3. Subdivision 1 of section 902 of the education law, as amended by
42 chapter 477 of the laws of 2004, is amended to read as follows:

43 1. As used in this article "health professionals" means persons duly
44 licensed or otherwise authorized to practice a health profession pursu-
45 ant to applicable law, including, but not limited to, physicians, regis-
46 tered professional nurses, nurse practitioners, physicians assistants,
47 optometrists, dentists, dental hygienists, CHIROPRACTORS, dietitians and
48 nutritionists, and audiologists.

49 S 4. This act shall take effect on the sixtieth day after it shall
50 have become a law.