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

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Introduced by Sens. LAVALLE, ESPAILLAT, LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education 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 education law, in relation to licensing of genetic counselors

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

Section 1. The education law is amended by adding a new article 142 to read as follows:

ARTICLE 142

GENETIC COUNSELING

SECTION 7050. INTRODUCTION.
7051. PRACTICE OF GENETIC COUNSELING AND USE OF THE TITLE "GENETIC COUNSELOR".
7052. STATE COMMITTEE FOR GENETIC COUNSELING.
7053. REQUIREMENTS FOR A PROFESSIONAL LICENSE.
7054. EXEMPT PERSONS.
7055. LIMITED PERMITS.
7056. SPECIAL PROVISION.
7057. MANDATORY CONTINUING EDUCATION.

S 7050. INTRODUCTION. THIS ARTICLE APPLIES TO THE LICENSING OF GENETIC COUNSELORS. THE GENERAL PROVISIONS FOR ALL PROFESSIONS CONTAINED IN ARTICLE ONE HUNDRED THIRTY OF THIS TITLE APPLY TO THIS ARTICLE.

S 7051. PRACTICE OF GENETIC COUNSELING AND USE OF THE TITLE "GENETIC COUNSELOR". 1. THE "PRACTICE OF GENETIC COUNSELING" SHALL MEAN THE COMMUNICATION TO AND EDUCATION OF CLIENTS, THEIR FAMILIES, OTHER HEALTH CARE PROFESSIONALS AND THE GENERAL PUBLIC WITH REGARD TO GENETIC TEST-

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

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ING, INDIVIDUAL FAMILY HISTORIES, OR OTHER GENETIC, MEDICAL, AND TECHNICAL INFORMATION ASSOCIATED WITH THE OCCURRENCE, RISK OF OCCURRENCE OR RECURRENCE, OF A GENETIC OR HEREDITARY CONDITION OR BIRTH DEFECT. A PRACTITIONER OF GENETIC COUNSELING SHALL SEEK TO PROMOTE DECISION-MAKING FOR THEIR CLIENT WHICH RESPECTS THE CLIENT'S CULTURE, LANGUAGE, TRADITION, LIFESTYLE, RELIGION, BELIEFS AND VALUES. GENETIC COUNSELING SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

(A) OBTAIN AND EVALUATE INDIVIDUAL, FAMILY, AND MEDICAL HISTORIES TO DETERMINE GENETIC RISK FOR GENETIC/MEDICAL CONDITIONS AND DISEASES IN A PATIENT, HIS OR HER OFFSPRING, AND OTHER FAMILY MEMBERS;

(B) DISCUSS THE FEATURES, NATURAL HISTORY, MEANS OF DIAGNOSIS, GENETIC AND ENVIRONMENTAL FACTORS, AND MANAGEMENT OF RISK FOR GENETIC/MEDICAL CONDITIONS AND DISEASES;

(C) IDENTIFY AND COORDINATE GENETIC LABORATORY TESTS AND OTHER DIAGNOSTIC STUDIES AS APPROPRIATE FOR THE GENETIC ASSESSMENT;

(D) INTEGRATE GENETIC LABORATORY TEST RESULTS AND OTHER DIAGNOSTIC STUDIES WITH PERSONAL AND FAMILY MEDICAL HISTORY TO ASSESS AND COMMUNICATE RISK FACTORS FOR GENETIC/MEDICAL CONDITIONS AND DISEASES;

(E) EXPLAIN TO A CLIENT THE CLINICAL IMPLICATIONS OF GENETIC LABORATORY TESTS AND OTHER DIAGNOSTIC STUDIES AND THEIR RESULTS;

(F) EVALUATE THE CLIENT'S OR FAMILY'S RESPONSES TO THE CONDITION OR RISK OF RECURRENCE AND PROVIDE CLIENT-CENTERED COUNSELING AND ANTICIPATORY GUIDANCE;

(G) IDENTIFY AND UTILIZE COMMUNITY RESOURCES FOR THE CLIENT THAT PROVIDE MEDICAL, EDUCATIONAL, FINANCIAL, AND PSYCHOSOCIAL SUPPORT AND ADVOCACY; AND

(H) PROVIDE WRITTEN DOCUMENTATION OF MEDICAL, GENETIC, AND COUNSELING INFORMATION FOR PATIENTS AND HEALTH CARE PROFESSIONALS.

2. NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO AUTHORIZE A LICENSED GENETIC COUNSELOR TO DIAGNOSE OR TREAT ANY GENETIC DISEASE OR MEDICAL CONDITION, PRACTICE PSYCHOTHERAPY, OR PRACTICE ANY OTHER PROFESSION THAT IS LICENSED UNDER THIS TITLE. THIS INCLUDES, BUT MAY NOT BE LIMITED TO, THE FOLLOWING:

(A) PRESCRIBE OR ADMINISTER DRUGS AS DEFINED IN THIS CHAPTER OR AS A TREATMENT, THERAPY, OR PROFESSIONAL SERVICES IN THE PRACTICE OF HIS OR HER PROFESSION;

(B) USE INVASIVE PROCEDURES AS A TREATMENT, THERAPY, OR PROFESSIONAL SERVICE IN THE PRACTICE OF HIS OR HER PROFESSION. FOR THE PURPOSES OF THIS SUBDIVISION, "INVASIVE PROCEDURE" MEANS ANY PROCEDURE IN WHICH HUMAN TISSUE IS CUT, ALTERED, OR OTHERWISE INFILTRATED BY MECHANICAL OR OTHER MEANS. INVASIVE PROCEDURES SHALL INCLUDE SURGERY, LASERS, IONIZING RADIATION, THERAPEUTIC ULTRASOUND, OR ELECTROCONVULSIVE THERAPY; OR

(C) PROVIDE PSYCHOTHERAPY AS DEFINED IN SUBDIVISION TWO OF SECTION EIGHTY-FOUR HUNDRED ONE OF THIS TITLE.

3. IF IN THE COURSE OF PROVIDING GENETIC COUNSELING TO ANY PATIENT, A GENETIC COUNSELOR FINDS ANY INDICATION OF DISEASE OR CONDITION THAT MAY REQUIRE MEDICAL ASSESSMENT, THE GENETIC COUNSELOR SHALL REFER THAT PATIENT TO A LICENSED PHYSICIAN, OR AS APPROPRIATE, ANOTHER HEALTH CARE PROFESSIONAL LICENSED PURSUANT TO THIS TITLE.

4. ONLY A PERSON LICENSED UNDER THIS ARTICLE SHALL PRACTICE GENETIC COUNSELING. ONLY A PERSON LICENSED UNDER THIS ARTICLE SHALL USE THE TITLE "LICENSED GENETIC COUNSELOR" AND USE THE LETTERS "L.G.C." AFTER HIS OR HER NAME OR ANY WORDS OR LETTERS, ABBREVIATIONS OR INSIGNIA INDICATING OR IMPLYING THAT A PERSON IS LICENSED PURSUANT TO THIS ARTICLE.

S 7052. STATE COMMITTEE FOR GENETIC COUNSELING. 1. A STATE COMMITTEE FOR GENETIC COUNSELING SHALL BE APPOINTED BY THE BOARD OF REGENTS UPON

THE RECOMMENDATION OF THE COMMISSIONER AND SHALL ASSIST ON MATTERS OF LICENSURE AND PROFESSIONAL CONDUCT IN ACCORDANCE WITH SECTION SIXTY-FIVE HUNDRED EIGHT OF THIS TITLE. NOTWITHSTANDING THE PROVISIONS OF SECTION SIXTY-FIVE HUNDRED EIGHT OF THIS TITLE, THE COMMITTEE SHALL ASSIST THE BOARD FOR MEDICINE SOLELY IN GENETIC COUNSELING MATTERS. MEMBERS OF THE FIRST COMMITTEE NEED NOT BE LICENSED PRIOR TO THEIR APPOINTMENT TO SUCH COMMITTEE.

2. THE COMMITTEE SHALL CONSIST OF SEVEN INDIVIDUALS, TO BE COMPOSED OF THE FOLLOWING:

(A) FIVE LICENSED GENETIC COUNSELORS,

(B) ONE LICENSED PHYSICIAN, AND

(C) A PUBLIC REPRESENTATIVE AS DEFINED IN PARAGRAPH B OF SUBDIVISION ONE OF SECTION SIXTY-FIVE HUNDRED EIGHT OF THIS TITLE.

3. COMMITTEE MEMBERS SHALL BE APPOINTED FOR TERMS OF FIVE YEARS. THE TERMS OF THE FIRST APPOINTED MEMBERS SHALL BE STAGGERED SO THAT TWO MEMBERS ARE APPOINTED FOR THREE YEARS, THREE MEMBERS ARE APPOINTED FOR FOUR YEARS AND TWO MEMBERS ARE APPOINTED FOR FIVE YEARS.

S 7053. REQUIREMENTS FOR A PROFESSIONAL LICENSE. TO QUALIFY FOR A LICENSE AS A "LICENSED GENETIC COUNSELOR", AN APPLICANT SHALL FULFILL THE FOLLOWING REQUIREMENTS:

1. APPLICATION: FILE AN APPLICATION WITH THE DEPARTMENT;

2. EDUCATION: HAVE RECEIVED A MASTER'S OR DOCTORAL DEGREE IN GENETIC COUNSELING FROM A PROGRAM REGISTERED BY THE DEPARTMENT, OR DETERMINED BY THE DEPARTMENT TO BE THE SUBSTANTIAL EQUIVALENT, IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS. APPROPRIATE COURSEWORK SHALL BE DETERMINED IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS ON RECOMMENDATIONS OF THE STATE COMMITTEE FOR GENETIC COUNSELING;

3. EXPERIENCE: EXPERIENCE ACCEPTABLE TO THE DEPARTMENT;

4. EXAMINATION: PASS AN EXAMINATION SATISFACTORY TO THE COMMITTEE AND IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS;

5. AGE: BE AT LEAST TWENTY-ONE YEARS OF AGE;

6. CHARACTER: BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPARTMENT;

7. FEES: PAY A FEE OF THREE HUNDRED DOLLARS TO THE DEPARTMENT FOR AN INITIAL LICENSE AND TWO HUNDRED DOLLARS FOR EACH SUBSEQUENT TRIENNIAL RE-REGISTRATION OF A LICENSE.

S 7054. EXEMPT PERSONS. SO LONG AS THE PERSON DOES NOT HOLD HIM OR HERSELF OUT TO THE PUBLIC AS A GENETIC COUNSELOR, THE PROVISIONS OF THIS ARTICLE SHALL NOT APPLY TO:

1. A LICENSED HEALTH CARE PROFESSIONAL LICENSED UNDER THIS TITLE WHO IS PRACTICING WITHIN THE SCOPE OF PRACTICE AS DEFINED IN THIS TITLE;

2. A STUDENT OR INTERN ENROLLED IN A MASTER'S OR HIGHER PROGRAM REGISTERED OR APPROVED BY THE DEPARTMENT WHERE THE STUDENT OR INTERN IS ENGAGED IN ACTIVITIES CONSTITUTING THE PRACTICE OF A PROFESSION AS DEFINED IN THIS TITLE, WHOSE SCOPE OF PRACTICE INCLUDES GENETIC COUNSELING; PROVIDED, HOWEVER, SUCH ACTIVITIES SHALL BE PART OF A SUPERVISED TRAINING PROGRAM UNDER A LICENSED GENETIC COUNSELOR OR A HEALTH CARE PROFESSIONAL LICENSED PURSUANT TO THIS TITLE IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS; AND

3. AN EMPLOYEE OF THE STATE DEPARTMENT OF HEALTH IN THE PROVISION OF EDUCATION REGARDING CONDITIONS INCLUDED ON THE NEWBORN SCREENING PANELS. NOTHING IN THIS ARTICLE SHALL BE CONSTRUED AS PROHIBITING COUNSELING SERVICES PROVIDED BY AN ATTORNEY, RAPE CRISIS COUNSELOR, OR PASTORAL COUNSELING BY A CLERGY MEMBER WORKING WITHIN HIS OR HER MINISTERIAL CHARGE OF OBLIGATION.

S 7055. LIMITED PERMITS. LIMITED PERMITS MAY BE ISSUED BY THE DEPARTMENT TO AUTHORIZE THE PRACTICE OF THE PROFESSION UNDER A LICENSED GENETIC COUNSELOR OR PHYSICIAN PURSUANT TO THE COMMISSIONER'S REGULATIONS:

1. THE DEPARTMENT MAY ISSUE A LIMITED PERMIT TO AN APPLICANT WHO MEETS ALL QUALIFICATIONS FOR LICENSURE AS A GENETIC COUNSELOR, EXCEPT THOSE RELATING TO THE EXAMINATION, IN ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS.

2. LIMITED PERMITS SHALL BE FOR ONE YEAR. SUCH PERMITS MAY BE EXTENDED AT THE DISCRETION OF THE DEPARTMENT, FOR ONE ADDITIONAL YEAR.

3. THE FEE FOR EACH LIMITED PERMIT AND FOR EACH RENEWAL SHALL BE SEVENTY DOLLARS.

S 7056. SPECIAL PROVISION. 1. ANY PERSON WHO OBTAINED A MASTER'S OR DOCTORAL DEGREE OF GENETIC COUNSELING SATISFACTORY TO THE DEPARTMENT PRIOR TO TWO THOUSAND EIGHT, WHO HAS FIFTEEN YEARS POST-GRADUATE GENETIC COUNSELOR EMPLOYMENT AND MEETS THE REQUIREMENTS FOR A LICENSE PURSUANT TO THIS ARTICLE, EXCEPT FOR EXAMINATION, AND WHO FILES AN APPLICATION AND FEE WITH THE DEPARTMENT WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION SHALL BE LICENSED AS A LICENSED GENETIC COUNSELOR.

2. THIS ARTICLE SHALL NOT PROHIBIT THE PROVISION OF GENETIC COUNSELING SERVICES AS DEFINED IN SUBDIVISION ONE OF SECTION SEVEN THOUSAND FIFTY-ONE OF THIS ARTICLE BY EMPLOYEES OR AGENTS OF A CORPORATION PROVIDING GENETIC COUNSELING SERVICES IN THIS STATE; PROVIDED, HOWEVER, THAT SUCH SERVICES ARE PROVIDED BY A LICENSED GENETIC COUNSELOR OR PERSON EXEMPT UNDER THIS ARTICLE AND A VIOLATION OF THIS PROVISION SHALL BE A CLASS A MISDEMEANOR. PROVIDED FURTHER, THAT ANY SUCH CORPORATION MUST:

(A) HAVE REGISTERED WITH THE DEPARTMENT BEFORE PROVIDING ANY SUCH SERVICES IN THIS STATE BY PROVIDING THEIR NAME AND ADDRESS FOR SERVICE OF PROCESS;

(B) SUBMIT AND, AS NECESSARY, REVISE A CURRENT LIST OF GENETIC COUNSELORS LICENSED PURSUANT TO THIS ARTICLE WHO ARE EMPLOYEES OR AGENTS OF THE CORPORATION AND ARE PROVIDING SUCH SERVICES IN THE STATE; AND

(C) HAVE IN EFFECT A REQUIREMENT THAT ALL PROFESSIONAL JUDGMENTS, DECISIONS, IDENTIFICATION OR COORDINATION OF GENETIC TESTING, OR OTHER PROFESSIONAL INTERACTIONS WITH CLIENTS OR PATIENTS BE MADE BASED UPON THE BEST INTERESTS OF SUCH CLIENT OR PATIENT.

3. ANY PERSON OR CORPORATION OFFERING THE SERVICES OF GENETIC COUNSELING OF A CLIENT IN THIS STATE SHALL EMPLOY, FOR THE PURPOSE OF PROVIDING SUCH SERVICES, ONLY PERSONS LICENSED OR EXEMPT UNDER THIS ARTICLE AND A VIOLATION OF THIS PROVISION SHALL BE A CLASS A MISDEMEANOR.

S 7057. MANDATORY CONTINUING EDUCATION. 1. A. EACH LICENSED GENETIC COUNSELOR REQUIRED UNDER THIS ARTICLE TO REGISTER TRIENNIALLY WITH THE DEPARTMENT TO PRACTICE IN THE STATE, SHALL COMPLY WITH PROVISIONS OF THE MANDATORY CONTINUING EDUCATION REQUIREMENTS PRESCRIBED IN SUBDIVISION TWO OF THIS SECTION EXCEPT AS SET FORTH IN PARAGRAPHS B AND C OF THIS SUBDIVISION. EACH GENETIC COUNSELOR SHALL BE EXEMPT FROM THE MANDATORY CONTINUING EDUCATION REQUIREMENTS FOR THE TRIENNIAL REGISTRATION PERIOD DURING WHICH THEY ARE FIRST LICENSED. LICENSED GENETIC COUNSELORS WHO DO NOT SATISFY THE MANDATORY CONTINUING EDUCATION REQUIREMENTS SHALL NOT PRACTICE UNTIL THEY HAVE MET SUCH REQUIREMENTS, AND THEY HAVE BEEN ISSUED A REGISTRATION CERTIFICATE, EXCEPT THAT A LICENSED GENETIC COUNSELOR MAY PRACTICE WITHOUT HAVING MET SUCH REQUIREMENTS IF HE OR SHE IS ISSUED A CONDITIONAL REGISTRATION CERTIFICATE PURSUANT TO SUBDIVISION THREE OF THIS SECTION.

B. IN ACCORD WITH THE INTENT OF THIS SECTION, ADJUSTMENT TO THE MANDATORY CONTINUING EDUCATION REQUIREMENT MAY BE GRANTED BY THE DEPARTMENT

FOR REASONS OF HEALTH 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 GENETIC COUNSELOR NOT ENGAGED IN PRACTICE AS DETERMINED BY THE DEPARTMENT, SHALL BE EXEMPT FROM THE MANDATORY CONTINUING EDUCATION REQUIREMENT UPON THE FILING OF A STATEMENT WITH THE DEPARTMENT DECLARING SUCH STATUS. ANY LICENSEE WHO RETURNS TO THE PRACTICE OF GENETIC COUNSELING DURING THE TRIENNIAL REGISTRATION PERIOD SHALL NOTIFY THE DEPARTMENT PRIOR TO REENTERING THE PROFESSION AND SHALL MEET SUCH MANDATORY EDUCATION REQUIREMENTS AS SHALL BE PRESCRIBED BY REGULATIONS OF THE COMMISSIONER.

2. DURING EACH TRIENNIAL REGISTRATION PERIOD AN APPLICANT FOR REGISTRATION AS A LICENSED GENETIC COUNSELOR SHALL COMPLETE FORMAL CONTINUING EDUCATION AS SET FORTH IN STANDARDS PRESCRIBED BY REGULATIONS OF THE COMMISSIONER. ANY LICENSED GENETIC COUNSELOR WHOSE FIRST REGISTRATION DATE FOLLOWING THE EFFECTIVE DATE OF THIS SECTION OCCURS LESS THAN THREE YEARS FROM SUCH EFFECTIVE DATE, SHALL COMPLETE CONTINUING EDUCATION HOURS ON A PRORATED BASIS PURSUANT TO REGULATIONS OF THE COMMISSIONER. A LICENSEE WHO HAS NOT SATISFIED THE MANDATORY CONTINUING EDUCATION REQUIREMENT SHALL NOT BE ISSUED A TRIENNIAL REGISTRATION CERTIFICATE BY THE DEPARTMENT AND SHALL NOT PRACTICE UNLESS AND UNTIL A CONDITIONAL REGISTRATION IS ISSUED AS PROVIDED FOR IN SUBDIVISION THREE OF THIS SECTION. CONTINUING EDUCATION HOURS TAKEN DURING ONE TRIENNIUM MAY NOT BE TRANSFERRED TO THE SUBSEQUENT TRIENNIUM.

3. THE DEPARTMENT, IN ITS DISCRETION, MAY ISSUE A CONDITIONAL REGISTRATION TO A LICENSEE WHO FAILS TO MEET THE CONTINUING EDUCATION REQUIREMENTS ESTABLISHED IN SUBDIVISION TWO OF THIS SECTION BUT WHO AGREES TO MAKE UP ANY DEFICIENCIES AND COMPLETE ANY ADDITIONAL EDUCATION 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 EDUCATION AND WHO PRACTICES GENETIC COUNSELING WITHOUT SUCH REGISTRATION, MAY BE SUBJECT TO THE DISCIPLINARY PROCEEDINGS PURSUANT TO SECTION SIXTY-FIVE HUNDRED TEN OF THIS TITLE.

4. FOR THE PURPOSES OF THIS SECTION, "ACCEPTABLE FORMAL CONTINUING EDUCATION" SHALL MEAN FORMAL COURSES OF LEARNING WHICH CONTRIBUTE TO PROFESSIONAL PRACTICE IN GENETIC COUNSELING AND WHICH MEET THE STANDARDS PRESCRIBED BY REGULATIONS OF THE COMMISSIONER. THE DEPARTMENT MAY, IN ITS DISCRETION AND AS NEEDED TO CONTRIBUTE TO THE HEALTH AND WELFARE OF THE PUBLIC, REQUIRE THE COMPLETION OF CONTINUING EDUCATION COURSES IN SPECIFIC SUBJECTS.

5. LICENSED GENETIC COUNSELORS SHALL MAINTAIN ADEQUATE DOCUMENTATION OF COMPLETION OF ACCEPTABLE FORMAL CONTINUING EDUCATION AND SHALL PROVIDE SUCH DOCUMENTATION AT THE REQUEST OF THE DEPARTMENT. FAILURE TO PROVIDE SUCH DOCUMENTATION UPON THE REQUEST OF THE DEPARTMENT SHALL BE AN ACT OF MISCONDUCT SUBJECT TO DISCIPLINARY PROCEEDINGS PURSUANT TO SECTION SIXTY-FIVE HUNDRED TEN OF THIS TITLE.

THE MANDATORY CONTINUING EDUCATION FEE SHALL BE FORTY-FIVE DOLLARS, SHALL BE PAYABLE ON OR BEFORE THE FIRST DAY OF EACH TRIENNIAL REGISTRATION PERIOD, AND SHALL BE PAID IN ADDITION TO THE TRIENNIAL REGISTRATION FEE REQUIRED BY SECTION SEVEN THOUSAND FIFTY-THREE OF THIS ARTICLE.

S 2. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid and after exhaustion of all further judicial review, the judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this act directly involved in the controversy in which the judgment shall have been rendered.

S 3. This act shall take effect two years after it shall have become a law; provided, however, that the state education department is authorized to promulgate any and all rules and regulations and take any other measure necessary to implement this act, including, but not limited to, the appointment of committee members pursuant to section 7052 of the education law, as added by section one of this act on or before such effective date, and provided further that section 7057 of the education law, as added by section one of this act shall take effect three years after the effective date of this act.