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I N   S E N A T E

January 28, 2016

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Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law and the social services law, in relation to the practice of school psychology

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 166-A  
2     to read as follows:

3                             ARTICLE 166-A  
4                             SCHOOL PSYCHOLOGY

5     SECTION 8720. INTRODUCTION.

6             8721. PRACTICE OF SCHOOL PSYCHOLOGY AND USE OF THE TITLE "SCHOOL  
7                             PSYCHOLOGIST".

8             8722. DEFINITION OF THE PRACTICE OF SCHOOL PSYCHOLOGY.

9             8723. REQUIREMENTS FOR A PROFESSIONAL LICENSE.

10            8724. BOUNDARIES OF PROFESSIONAL COMPETENCY.

11            8725. LIMITED PERMITS.

12            8726. EXEMPTIONS.

13            8727. SPECIAL PROVISIONS.

14     S 8720. INTRODUCTION. THIS ARTICLE APPLIES TO THE PROFESSION AND PRACTICE  
15     OF SCHOOL PSYCHOLOGY AND TO THE USE OF THE TITLE "LICENSED SCHOOL  
16     PSYCHOLOGIST". THE GENERAL PROVISIONS FOR ALL PROFESSIONS CONTAINED IN  
17     ARTICLE ONE HUNDRED THIRTY OF THIS TITLE APPLY TO THIS ARTICLE.

18     S 8721. PRACTICE OF SCHOOL PSYCHOLOGY AND USE OF THE TITLE "SCHOOL  
19     PSYCHOLOGIST". ONLY A PERSON LICENSED OR EXEMPT UNDER THIS ARTICLE  
20     SHALL PRACTICE SCHOOL PSYCHOLOGY OR USE THE TITLE "LICENSED SCHOOL  
21     PSYCHOLOGIST".

22     S 8722. DEFINITION OF THE PRACTICE OF SCHOOL PSYCHOLOGY. THE PRACTICE  
23     OF SCHOOL PSYCHOLOGY IS:

24     1. THE ASSESSMENT, INCLUDING PSYCHO-EDUCATIONAL, DEVELOPMENTAL AND  
25     VOCATIONAL ASSESSMENT, EVALUATION AND INTERPRETATION OF INTELLIGENCE,  
26     COGNITIVE PROCESSES, APTITUDES, INTERESTS, ACADEMIC ACHIEVEMENT,  
27     ADJUSTMENT, PERSONALITY FACTORS AND MOTIVATIONS, OR ANY OTHER ATTRI-

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

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1 BUTES, TO INDIVIDUAL STUDENTS OR GROUPS OF STUDENTS THAT RELATE TO  
2 LEARNING, EDUCATION OR ADJUSTMENT NEEDS;

3 2. THE DEVELOPMENT AND IMPLEMENTATION OF EDUCATIONALLY-RELATED  
4 PSYCHOTHERAPEUTIC AND BEHAVIORAL APPROACHES TO INCREASE SCHOOL ADJUST-  
5 MENT AND ACADEMIC SUCCESS, COUNSELING AND INTERPRETIVE SERVICES TO  
6 REDUCE EDUCATION-RELATED PROBLEMS INCLUDING, BUT NOT LIMITED TO, VERBAL  
7 INTERACTION, INTERVIEWING, BEHAVIOR TECHNIQUES, DEVELOPMENTAL AND VOCA-  
8 TIONAL INTERVENTION, ENVIRONMENTAL MANAGEMENT AND GROUP PROCESSES;

9 3. CONSULTATION WITH REPRESENTATIVES OF SCHOOLS, AGENCIES AND ORGAN-  
10 IZATIONS, FAMILIES OR INDIVIDUALS, INCLUDING PSYCHO-EDUCATIONAL, DEVEL-  
11 OPMENTAL AND VOCATIONAL ASSISTANCE OR DIRECT EDUCATIONAL SERVICES,  
12 RELATED TO LEARNING PROBLEMS AND ADJUSTMENTS TO THOSE PROBLEMS TO THE  
13 BENEFIT OF AN INDIVIDUAL STUDENT OR GROUP OF STUDENTS; AND

14 4. THE DEVELOPMENT OF PROGRAMMING, INCLUDING DESIGNING, IMPLEMENTING  
15 OR EVALUATING EDUCATIONALLY AND PSYCHOLOGICALLY SOUND LEARNING ENVIRON-  
16 MENTS AND THE FACILITATION OF PSYCHO-EDUCATIONAL DEVELOPMENT OF INDIVID-  
17 UALS, FAMILIES OR GROUPS.

18 S 8723. REQUIREMENTS FOR A PROFESSIONAL LICENSE. TO QUALIFY FOR A  
19 LICENSE AS A LICENSED SCHOOL PSYCHOLOGIST, AN APPLICANT SHALL FULFILL  
20 THE FOLLOWING REQUIREMENTS:

21 1. APPLICATION: FILE AN APPLICATION WITH THE DEPARTMENT;

22 2. EDUCATION: COMPLETE A MINIMUM OF SIXTY GRADUATE CREDITS AND FULFILL  
23 THE REQUIREMENTS OF A MASTER'S OR DOCTORAL DEGREE IN SCHOOL PSYCHOLOGY  
24 FROM A PROGRAM REGISTERED BY THE DEPARTMENT, OR DETERMINED BY THE  
25 DEPARTMENT TO BE THE SUBSTANTIAL EQUIVALENT IN ACCORDANCE WITH THE  
26 COMMISSIONER'S REGULATIONS. THE GRADUATE COURSEWORK SHALL INCLUDE, BUT  
27 NOT BE LIMITED TO, THE FOLLOWING AREAS:

28 (I) BIOLOGICAL, SOCIAL AND CULTURAL BASES OF DEVELOPMENT;

29 (II) PSYCHOPATHOLOGY AND EXCEPTIONALITY IN LEARNING AND BEHAVIOR;

30 (III) ASSESSMENT AND APPRAISAL OF LEARNERS IN HOME AND SCHOOL  
31 CONTEXTS;

32 (IV) CONSULTATION AND COLLABORATION IN FAMILY, SCHOOL AND COMMUNITY  
33 SYSTEMS;

34 (V) EFFECTIVE INSTRUCTION AND DEVELOPMENT OF COGNITIVE AND ACADEMIC  
35 SKILLS;

36 (VI) PREVENTION AND TREATMENT OF BEHAVIORAL AND EMOTIONAL DISORDERS  
37 AND DEFICITS;

38 (VII) SCHOOL ORGANIZATION, CURRICULUM, POLICY AND LAW;

39 (VIII) RESEARCH AND PROGRAM EVALUATION;

40 (IX) PROFESSION AND ETHICAL PRACTICE OF PSYCHOLOGY IN SCHOOLS; AND

41 (X) COMPLETION OF A TWELVE HUNDRED HOUR SUPERVISED INTERNSHIP IN  
42 SCHOOL PSYCHOLOGY, WITH NO LESS THAN SIX HUNDRED HOURS COMPLETED WITHIN  
43 A SCHOOL SETTING.

44 3. EXPERIENCE: COMPLETE A MINIMUM OF TWO THOUSAND FOUR HUNDRED HOURS  
45 OF POST-MASTER'S SUPERVISED EXPERIENCE RELEVANT TO THE PRACTICE OF  
46 SCHOOL PSYCHOLOGY SATISFACTORY TO THE BOARD AND IN ACCORDANCE WITH THE  
47 COMMISSIONER'S REGULATIONS, SUCH SUPERVISED EXPERIENCE WHICH MAY INCLUDE  
48 ONE THOUSAND TWO HUNDRED HOURS COMPLETED AS PART OF A PROGRAM IN SCHOOL  
49 PSYCHOLOGY;

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

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

53 6. CHARACTER: BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPART-  
54 MENT; AND

55 7. FEES: PAY A FEE OF TWO HUNDRED FORTY DOLLARS TO THE DEPARTMENT FOR  
56 ADMISSION TO A DEPARTMENT CONDUCTED EXAMINATION AND FOR AN INITIAL

LICENSE; A FEE OF EIGHTY-FIVE DOLLARS FOR EACH REEXAMINATION; A FEE OF ONE HUNDRED SEVENTY-FIVE DOLLARS FOR AN INITIAL LICENSE FOR PERSONS NOT REQUIRING ADMISSION TO A DEPARTMENT CONDUCTED EXAMINATION AND A FEE OF ONE HUNDRED SEVENTY DOLLARS FOR EACH TRIENNIAL REGISTRATION PERIOD.

S 8724. BOUNDARIES OF PROFESSIONAL COMPETENCY. 1. IT SHALL BE DEEMED PRACTICING OUTSIDE THE BOUNDARIES OF HIS OR HER PROFESSIONAL COMPETENCE FOR A PERSON LICENSED PURSUANT TO THIS ARTICLE, IN THE CASE OF TREATMENT OF ANY SERIOUS MENTAL ILLNESS, TO PROVIDE ANY MENTAL HEALTH SERVICES FOR SUCH ILLNESS ON A CONTINUOUS AND SUSTAINED BASIS WITHOUT A MEDICAL EVALUATION OF THE ILLNESS BY, AND CONSULTATION WITH, A PHYSICIAN REGARDING SUCH ILLNESS. SUCH MEDICAL EVALUATION AND CONSULTATION SHALL BE TO DETERMINE AND ADVISE WHETHER ANY MEDICAL CARE IS INDICATED FOR SUCH ILLNESS. FOR PURPOSES OF THIS SECTION, "SERIOUS MENTAL ILLNESS" MEANS SCHIZOPHRENIA, SCHIZOAFFECTIVE DISORDER, BIPOLAR DISORDER, MAJOR DEPRESSIVE DISORDER, PANIC DISORDER AND OBSESSIVE-COMPULSIVE DISORDER. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PREVENT, LIMIT OR IMPAIR CONSULTATION WITH ANY OTHER HEALTH OR MENTAL HEALTH PROFESSIONAL. NOTHING HEREIN CONTAINED SHALL LIMIT, MODIFY, RESTRICT OR OTHERWISE AFFECT THE DEFINITION OF THE PRACTICE OF SCHOOL PSYCHOLOGY AS PROVIDED IN SECTION EIGHTY-SEVEN HUNDRED TWENTY-TWO OF THIS ARTICLE.

2. ANY INDIVIDUAL WHOSE LICENSE OR AUTHORITY TO PRACTICE DERIVES FROM THE PROVISIONS OF THIS ARTICLE SHALL BE PROHIBITED FROM:

(A) PRESCRIBING OR ADMINISTERING DRUGS AS DEFINED IN THIS CHAPTER AS A TREATMENT, THERAPY, OR PROFESSIONAL SERVICE IN THE PRACTICE OF HIS OR HER PROFESSION; OR

(B) USING INVASIVE PROCEDURES AS A TREATMENT, THERAPY, OR PROFESSIONAL SERVICE IN THE PRACTICE OF HIS OR HER PROFESSION. FOR 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 PROCEDURE INCLUDES SURGERY, LASERS, IONIZING RADIATION, THERAPEUTIC ULTRASOUND, OR ELECTROCONVULSIVE THERAPY; OR

(C) ENGAGING IN DUAL SETTING PRACTICE, OR OTHERWISE OFFERING OR PROVIDING PRIVATE PRACTICE SERVICES TO A STUDENT OF A SCHOOL OR SPECIAL EDUCATION PROGRAM WHERE THE PRACTITIONER IS CURRENTLY EMPLOYED OR UNDER CONTRACT WITH SUCH SCHOOL OR PROGRAM.

3. NOTHING IN THIS ARTICLE SHALL BE DEEMED TO AUTHORIZE, GRANT OR EXTEND HOSPITAL PRIVILEGES TO INDIVIDUALS LICENSED UNDER THIS ARTICLE.

S 8725. LIMITED PERMITS. 1. THE DEPARTMENT MAY ISSUE A LIMITED PERMIT TO AN APPLICANT WHOSE QUALIFICATIONS HAVE BEEN APPROVED FOR ADMISSION TO THE EXAMINATION IN ACCORDANCE WITH REGULATIONS PROMULGATED THEREFOR.

2. LIMITED PERMITS SHALL BE FOR ONE YEAR AND BE RENEWED, 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 8726. EXEMPTIONS. NOTHING CONTAINED IN THIS ARTICLE SHALL BE CONSTRUED TO:

1. APPLY TO THE PRACTICE, CONDUCT, ACTIVITIES, SERVICES OR USE OF ANY TITLE BY ANY PERSON LICENSED OR OTHERWISE AUTHORIZED TO PRACTICE MEDICINE WITHIN THE STATE PURSUANT TO ARTICLE ONE HUNDRED THIRTY-ONE OF THIS TITLE OR BY ANY PERSON REGISTERED TO PERFORM SERVICES AS A PHYSICIAN ASSISTANT WITHIN THE STATE PURSUANT TO ARTICLE ONE HUNDRED THIRTY-ONE-B OF THIS TITLE OR BY ANY PERSON LICENSED OR OTHERWISE AUTHORIZED TO PRACTICE PSYCHOLOGY WITHIN THIS STATE PURSUANT TO ARTICLE ONE HUNDRED FIFTY-THREE OF THIS TITLE OR BY ANY PERSON LICENSED OR OTHERWISE AUTHORIZED TO PRACTICE AS A LICENSED CLINICAL SOCIAL WORKER WITHIN THIS STATE PURSUANT TO ARTICLE ONE HUNDRED FIFTY-FOUR OF THIS TITLE, OR BY ANY

1 PERSON LICENSED OR OTHERWISE AUTHORIZED TO PRACTICE NURSING AS A REGIS-  
2 TERED PROFESSIONAL NURSE WITHIN THIS STATE PURSUANT TO ARTICLE ONE  
3 HUNDRED THIRTY-NINE OF THIS TITLE, OR BY ANY PERSON LICENSED OR OTHER-  
4 WISE AUTHORIZED TO PRACTICE MENTAL HEALTH COUNSELING, MARRIAGE AND FAMI-  
5 LY THERAPY, CREATIVE ARTS THERAPY, OR PSYCHOANALYSIS WITHIN THE STATE,  
6 OR BY ANY PERSON LICENSED OR OTHERWISE AUTHORIZED TO PRACTICE APPLIED  
7 BEHAVIOR ANALYSIS WITHIN THE STATE PURSUANT TO ARTICLE ONE HUNDRED  
8 SIXTY-SIX-A OF THIS TITLE; PROVIDED, HOWEVER, THAT NO PHYSICIAN, PHYSI-  
9 CIAN'S ASSISTANT, REGISTERED PROFESSIONAL NURSE, PSYCHOLOGIST, LICENSED  
10 CLINICAL SOCIAL WORKER, LICENSED MENTAL HEALTH COUNSELOR, LICENSED  
11 MARRIAGE AND FAMILY THERAPIST, LICENSED CREATIVE ARTS THERAPIST,  
12 LICENSED PSYCHOANALYST OR APPLIED BEHAVIOR ANALYST MAY USE THE TITLE  
13 UNLESS LICENSED UNDER THIS ARTICLE;

14 2. PROHIBIT OR LIMIT ANY INDIVIDUAL WHO IS CREDENTIALLED UNDER ANY LAW,  
15 INCLUDING ATTORNEYS, RAPE CRISIS COUNSELORS, CERTIFIED ALCOHOLISM COUN-  
16 SELORS AND CERTIFIED SUBSTANCE ABUSE COUNSELORS FROM PROVIDING MENTAL  
17 HEALTH SERVICES WITHIN THEIR RESPECTIVE ESTABLISHED AUTHORITIES;

18 3. PROHIBIT OR LIMIT THE PRACTICE OF A PROFESSION LICENSED PURSUANT  
19 TO THIS ARTICLE BY A STUDENT, INTERN OR RESIDENT IN, AND AS A PART OF, A  
20 SUPERVISED EDUCATIONAL PROGRAM IN AN INSTITUTION APPROVED BY THE DEPART-  
21 MENT;

22 4. PROHIBIT OR LIMIT THE PROVISION OF PASTORAL COUNSELING SERVICES BY  
23 ANY MEMBER OF THE CLERGY OR CHRISTIAN SCIENCE PRACTITIONER, WITHIN THE  
24 CONTEXT OF HIS OR HER MINISTERIAL CHARGE OR OBLIGATION;

25 5. PROHIBIT OR LIMIT INDIVIDUALS, CHURCHES, SCHOOLS, TEACHERS, ORGAN-  
26 IZATIONS, OR NOT-FOR-PROFIT BUSINESSES, FROM PROVIDING INSTRUCTION,  
27 ADVICE, SUPPORT, ENCOURAGEMENT, OR INFORMATION TO INDIVIDUALS, FAMILIES,  
28 AND RELATIONAL GROUPS;

29 6. PROHIBIT OR LIMIT AN OCCUPATIONAL THERAPIST FROM PERFORMING WORK  
30 CONSISTENT WITH ARTICLE ONE HUNDRED FIFTY-SIX OF THIS TITLE; OR

31 7. AFFECT OR PREVENT THE ACTIVITIES OR SERVICES ON THE PART OF A  
32 PERSON IN THE EMPLOY OF A FEDERAL, STATE, COUNTY, OR MUNICIPAL AGENCY,  
33 OTHER POLITICAL SUBDIVISION, OR A CHARTERED ELEMENTARY OR SECONDARY  
34 SCHOOL OR DEGREE-GRANTING EDUCATIONAL INSTITUTION INsofar AS SUCH ACTIV-  
35 ITIES AND SERVICES ARE A PART OF THE DUTIES OF SUCH PERSON'S SALARIED  
36 POSITION.

37 S 8727. SPECIAL PROVISIONS. 1. ANY NONEXEMPT PERSON PRACTICING THE  
38 PROFESSION OF SCHOOL PSYCHOLOGY SHALL APPLY FOR A LICENSE OF SUCH  
39 PROFESSION WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION.

40 (A) IF SUCH PERSON DOES NOT MEET THE REQUIREMENTS FOR A LICENSE ESTAB-  
41 LISHED WITHIN THIS ARTICLE, SUCH PERSON MAY MEET ALTERNATIVE CRITERIA  
42 DETERMINED BY THE DEPARTMENT TO BE THE SUBSTANTIAL EQUIVALENT OF SUCH  
43 CRITERIA.

44 (B) IF SUCH PERSON MEETS THE REQUIREMENTS FOR A LICENSE ESTABLISHED  
45 WITHIN THIS ARTICLE, EXCEPT FOR EXAMINATION, AND HAS BEEN CERTIFIED OR  
46 REGISTERED BY A NATIONAL CERTIFYING OR REGISTERING BODY HAVING CERTIF-  
47 ICATION OR REGISTRATION STANDARDS ACCEPTABLE TO THE COMMISSIONER, THE  
48 DEPARTMENT SHALL LICENSE WITHOUT EXAMINATION.

49 2. NOTWITHSTANDING THE REQUIREMENTS OF SECTION EIGHTY-SEVEN HUNDRED  
50 TWENTY-THREE OF THIS ARTICLE, AND FOR A PERIOD OF TIME NOT TO EXCEED TWO  
51 YEARS FROM THE EFFECTIVE DATE OF THIS ARTICLE, AN INDIVIDUAL MAY BE  
52 LICENSED AS A SCHOOL PSYCHOLOGIST PROVIDED SUCH PERSON HAS EITHER:

53 (A) MET THE EDUCATIONAL REQUIREMENTS AS DEFINED IN SECTION EIGHTY-SEV-  
54 EN HUNDRED TWENTY-THREE OF THIS ARTICLE AND PERFORMED THE DUTIES OF A  
55 SCHOOL PSYCHOLOGIST FOR TWO OF THE PAST FIVE YEARS PRIOR TO THE EFFEC-  
56 TIVE DATE OF THIS ARTICLE; OR

(B) PERFORMED THE DUTIES OF A SCHOOL PSYCHOLOGIST FOR AT LEAST FIVE YEARS PRIOR TO THE EFFECTIVE DATE OF THIS ARTICLE.

3. ANY PERSON LICENSED PURSUANT TO THIS ARTICLE MAY USE ACCEPTED CODES AND CLASSIFICATIONS OF SIGNS, SYMPTOMS, DYSFUNCTIONS AND DISORDERS, AS APPROVED IN ACCORDANCE WITH REGULATIONS PROMULGATED BY THE DEPARTMENT, IN THE PRACTICE OF SUCH LICENSED PROFESSION.

4. NOTHING IN THIS ARTICLE SHALL BE DEEMED TO ALTER, MODIFY OR AFFECT THE PROVISIONS OF SECTION THREE THOUSAND TWELVE OR TWENTY-FIVE HUNDRED TEN OF THIS CHAPTER OR OTHERWISE AFFECT THE CERTIFICATION OF A SCHOOL PSYCHOLOGIST.

S 2. Paragraph a of subdivision 3 of section 6507 of the education law, as amended by chapter 554 of the laws of 2013, is amended to read as follows:

a. Establish standards for preprofessional and professional education, experience and licensing examinations as required to implement the article for each profession. Notwithstanding any other provision of law, the commissioner shall establish standards requiring that all persons applying, on or after January first, nineteen hundred ninety-one, initially, or for the renewal of, a license, registration or limited permit to be a physician, chiropractor, dentist, registered nurse, podiatrist, optometrist, psychiatrist, psychologist, LICENSED SCHOOL PSYCHOLOGIST, licensed master social worker, licensed clinical social worker, licensed creative arts therapist, licensed marriage and family therapist, licensed mental health counselor, licensed psychoanalyst, dental hygienist, licensed behavior analyst, or certified behavior analyst assistant shall, in addition to all the other licensure, certification or permit requirements, have completed two hours of coursework or training regarding the identification and reporting of child abuse and maltreatment. The coursework or training shall be obtained from an institution or provider which has been approved by the department to provide such coursework or training. The coursework or training shall include information regarding the physical and behavioral indicators of child abuse and maltreatment and the statutory reporting requirements set out in sections four hundred thirteen through four hundred twenty of the social services law, including but not limited to, when and how a report must be made, what other actions the reporter is mandated or authorized to take, the legal protections afforded reporters, and the consequences for failing to report. Such coursework or training may also include information regarding the physical and behavioral indicators of the abuse of individuals with mental retardation and other developmental disabilities and voluntary reporting of abused or neglected adults to the office of mental retardation and developmental disabilities or the local adult protective services unit. Each applicant shall provide the department with documentation showing that he or she has completed the required training. The department shall provide an exemption from the child abuse and maltreatment training requirements to any applicant who requests such an exemption and who shows, to the department's satisfaction, that there would be no need because of the nature of his or her practice for him or her to complete such training;

S 3. Paragraph (a) of subdivision 1 of section 413 of the social services law, as separately amended by chapters 126 and 205 of the laws of 2014, is amended to read as follows:

(a) The following persons and officials are required to report or cause a report to be made in accordance with this title when they have reasonable cause to suspect that a child coming before them in their professional or official capacity is an abused or maltreated child, or

1 when they have reasonable cause to suspect that a child is an abused or  
2 maltreated child where the parent, guardian, custodian or other person  
3 legally responsible for such child comes before them in their profes-  
4 sional or official capacity and states from personal knowledge facts,  
5 conditions or circumstances which, if correct, would render the child an  
6 abused or maltreated child: any physician; registered physician assist-  
7 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;  
8 osteopath; optometrist; chiropractor; podiatrist; resident; intern;  
9 psychologist; SCHOOL PSYCHOLOGIST; registered nurse; social worker;  
10 emergency medical technician; licensed creative arts therapist; licensed  
11 marriage and family therapist; licensed mental health counselor;  
12 licensed psychoanalyst; licensed behavior analyst; certified behavior  
13 analyst assistant; hospital personnel engaged in the admission, examina-  
14 tion, care or treatment of persons; a Christian Science practitioner;  
15 school official, which includes but is not limited to school teacher,  
16 school guidance counselor, school psychologist, school social worker,  
17 school nurse, school administrator or other school personnel required to  
18 hold a teaching or administrative license or certificate; full or part-  
19 time compensated school employee required to hold a temporary coaching  
20 license or professional coaching certificate; social services worker;  
21 director of a children's overnight camp, summer day camp or traveling  
22 summer day camp, as such camps are defined in section thirteen hundred  
23 ninety-two of the public health law; day care center worker; school-age  
24 child care worker; provider of family or group family day care; employee  
25 or volunteer in a residential care facility for children that is  
26 licensed, certified or operated by the office of children and family  
27 services; or any other child care or foster care worker; mental health  
28 professional; substance abuse counselor; alcoholism counselor; all  
29 persons credentialed by the office of alcoholism and substance abuse  
30 services; peace officer; police officer; district attorney or assistant  
31 district attorney; investigator employed in the office of a district  
32 attorney; or other law enforcement official.

33 S 4. Section 7602 of the education law, as added by chapter 987 of the  
34 laws of 1971, is amended to read as follows:

35 S 7602. State board for psychology. A state board for psychology  
36 shall be appointed by the board of regents on recommendation of the  
37 commissioner for the purpose of assisting the board of regents and the  
38 department on matters of professional licensing and professional conduct  
39 in accordance with section sixty-five hundred eight of this title. The  
40 board shall be composed of not less than eleven [psychologists licensed  
41 in this state] MEMBERS, A NUMBER OF WHOM SHALL BE LICENSED SCHOOL  
42 PSYCHOLOGISTS SUFFICIENT TO ASSURE MEANINGFUL PARTICIPATION IN BOARD  
43 ACTIVITIES. An executive secretary to the board shall be appointed by  
44 the board of regents upon the recommendation of the commissioner and  
45 shall be a psychologist, licensed in this state.

46 S 5. Severability. If any clause, sentence, paragraph, section or part  
47 of this act shall be adjudged by any court of competent jurisdiction to  
48 be invalid, the judgment shall not affect, impair, or invalidate the  
49 remainder thereof, but shall be confined in its operation to the clause,  
50 sentence, paragraph, section or part thereof directly involved in the  
51 controversy in which the judgment shall have been rendered.

52 S 6. This act shall take effect twelve months after it shall have  
53 become a law; provided, however, that effective immediately the depart-  
54 ment of education is authorized to promulgate any and all rules and  
55 regulations and take any other measure necessary to implement this act  
56 on or before its effective date, including, but not limited to, the

1 appointment of the state board for psychology, the acceptance and proc-  
2 essing of applications for licensure and the issuance of licenses;  
3 provided, further, that if section 1 of chapter 205 of the laws of 2014  
4 has not taken effect on or before such effective date, then section  
5 three of this act shall take effect on the same date and in the same  
6 manner as such section 1 takes effect; provided, further, that the  
7 provisions of article 166-A of the education law, as added by section  
8 one of this act, requiring a license or limited permit to practice under  
9 such article shall not be enforced until twenty-four months after the  
10 effective date of this act.