

STATE OF NEW YORK

10798

IN ASSEMBLY

May 18, 2018

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

AN ACT to amend the education law, in relation to the license require-
ments for the practice of respiratory therapy

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision 2 of section 8504 of the education law, as
2 added by chapter 817 of the laws of 1992, is amended to read as follows:
3 2. Education: have received an education, including completion of an
4 approved [~~associate~~] bachelor degree program in respiratory therapy or
5 in a program determined by the department to be the equivalent;
6 § 2. Section 8507 of the education law is amended by adding a new
7 closing paragraph to read as follows:
8 Subdivision two of section eighty-five hundred four of this article as
9 amended by the chapter of the laws of two thousand eighteen that added
10 this paragraph shall not apply to any person licensed as a respiratory
11 therapist on the effective date of the chapter of the laws of two thou-
12 sand eighteen that added this paragraph.
13 § 3. Section 8513 of the education law, as added by chapter 817 of the
14 laws of 1992, is amended to read as follows:
15 § 8513. Special provisions. 1. A person shall be licensed without
16 examination provided that, within one year of the effective date of this
17 article, the individual:
18 [~~1-~~](a) files an application and pays the appropriate fees to the
19 department; and
20 [~~2.-(a)~~](b)(1) is certified by a national certifying or accrediting
21 board for respiratory therapy technicians acceptable to the department,
22 or
23 [~~(b)~~](2) has practiced as a respiratory therapy technician in a hospi-
24 tal, as defined in article twenty-eight of the public health law, in the
25 state for not less than two years within the last five years, or
26 [~~(a)~~](3) has met the educational standards of a hospital, as defined
27 in article twenty-eight of the public health law, or, in the case of a
28 hospital operated by a public benefit corporation, has met the educa-

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

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1 tional standards of such corporation, and has practiced as a respiratory
2 therapy technician for at least one year in such hospital.

3 2. The department shall not accept new applications for an initial
4 license as a respiratory therapy technician, provided however that
5 licenses issued prior to that date shall be eligible for renewal subject
6 to the provisions of this section.

7 § 4. This act shall take effect immediately; provided that sections
8 one and two of this act shall take effect on the first of September in
9 the fifth year next succeeding the year in which it shall have become a
10 law and shall only apply to the issuance of initial licenses.