STATE OF NEW YORK

4323

2019-2020 Regular Sessions

IN ASSEMBLY

February 4, 2019

Introduced by M. of A. WEPRIN -- read once and referred to the Committee on Real Property Taxation

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:

Section 1. Subdivision 2 of section 459 of the real property tax law, as amended by chapter 265 of the laws of 2013, is amended to read as follows:

2. To qualify as physically disabled for the purposes of this section, an individual shall submit to the assessor a certified statement from a physician **or chiropractor** licensed to practice in the state on a form prescribed and made available by the commissioner which states that the individual has a permanent physical impairment which substantially limits one or more of such individual's major life activities, except that an individual who has obtained a certificate from the state commission for the blind stating that such individual is legally blind may submit such certificate in lieu of a physician's certified statement.

§ 2. Subdivision 4 and paragraph (b) of subdivision 5 of section 404-a of the vehicle and traffic law, as amended by chapter 376 of the laws of 2015, are amended to read as follows:

4. Issue of plates. The commissioner shall issue sets of plates to such person in accordance with subdivision two of this section with proof of such disability of such person or such members of his or her family certified by a physician, physician assistant**, chiropractor** or nurse practitioner, to the extent authorized by law and consistent with

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

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subdivision three of section six thousand nine hundred two of the education law, or podiatrist pursuant to subdivision four-a of this section or optometrist pursuant to subdivision four-b of this section, to the satisfaction of the commissioner who is empowered to carry out the effects of this section by formulating rules and regulations.

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

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

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

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

(d) A blind person.

(b) The commissioner may require the applicant for registration to furnish such proof of his or her disability or such proof of disability of such members of his or her family from a physician, physician assistant**, chiropractor** or nurse practitioner, to the extent authorized by law and consistent with subdivision three of section six thousand nine hundred two of the education law, or podiatrist pursuant to subdivision four-a of this section or optometrist pursuant to subdivision four-b of this section, as the commissioner deems necessary either for initial registration or renewal thereof; provided, however, that a handicapped or disabled permit issued by a municipality to such applicant pursuant to section twelve hundred three-a of this chapter shall be deemed sufficient proof of disability for purposes of this paragraph.

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

1. As used in this article "health professionals" means persons duly licensed or otherwise authorized to practice a health profession pursuant to applicable law, including, but not limited to, physicians, registered professional nurses, nurse practitioners, physicians assistants, optometrists, dentists, dental hygienists, **chiropractors,** dietitians and nutritionists, and audiologists.

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