

# STATE OF NEW YORK

9067

## IN ASSEMBLY

January 15, 2020

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

AN ACT to amend the education law, in relation to requiring opioid training for medical professionals to reduce patient opioid abuse and reliance

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 section 6505-d  
2 to read as follows:

3 § 6505-d. Course work or training to address patient substance use  
4 disorders. 1. Every registered nurse, licensed practical nurse, and  
5 nurse practitioner practicing in the state who provides direct medical  
6 services to patients in this state shall, on or before July first, two  
7 thousand twenty-one and every registration period thereafter, complete  
8 at least two hours of course work or training on ways to prevent or  
9 address patient substance use disorder in the provision of medical  
10 services in accordance with regulated standards promulgated by the  
11 department, in consultation with the department of health and the office  
12 of addiction services and supports. Such training shall be updated as  
13 necessary according to best practices for providing patient-centered  
14 care with consideration given to social determinants of health and  
15 co-occurring disorders. Course work or training shall include, but not  
16 be limited to: techniques for managing pain; prevention, screening and  
17 signs of substance use disorders; appropriate responses to substance use  
18 disorders; techniques that will reduce the likelihood of overdose and  
19 the spread of blood-borne diseases by those who use drugs; and medica-  
20 tions used for the treatment of substance use disorders. In promulgating  
21 regulatory standards pursuant to this section the department is advised  
22 to consult with organizations representative of professions, insti-  
23 tutions and those with expertise in harm reduction strategies and in the  
24 treatment of substance use disorders.

25 2. As used in this section, "acceptable formal continuing education"  
26 shall mean formal programs of learning which contribute to professional  
27 practice and which meet the standards prescribed by regulations of the

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

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1 commissioner. To fulfill the mandatory continuing education requirement,  
2 programs must be taken from sponsors having the facilities, equipment,  
3 and financial and physical resources to provide continuing education  
4 courses, approved by the department, pursuant to the regulations of the  
5 commissioner. Continuing education may be provided in an internet-based  
6 course format as approved by the department.

7 3. Each such professional shall attest to the department at the time  
8 of registration commencing with the first registration after July first,  
9 two thousand twenty-one that the professional has completed course work  
10 or training in accordance with this section.

11 4. The department shall provide an exemption from this requirement to  
12 anyone who requests such an exemption and who:

13 a. clearly demonstrates to the department's satisfaction that there  
14 would be no need for him or her to complete such course work or training  
15 because of the nature of his or her practice;

16 b. has completed course work or training deemed by the department to  
17 be equivalent to the course work or training approved by the department  
18 pursuant to this section; or

19 c. is a medical professional who is on a tour of extended active duty  
20 with the armed forces of the United States.

21 5. The commissioner is authorized to promulgate regulations to imple-  
22 ment the provisions of this section.

23 6. Any person subject to the provisions of this section, who falsely  
24 attests to having completed the required course work or training shall  
25 be subject to professional misconduct as provided by subdivision twen-  
26 ty-one of section sixty-five hundred thirty of this title and subdivi-  
27 sion nine of section sixty-five hundred nine of this title.

28 § 2. Section 7607 of the education law is amended by adding a new  
29 subdivision 2-a to read as follows:

30 2-a. Every psychologist practicing in the state shall complete at  
31 least two hours of course work or training, as part of mandatory contin-  
32 uing education requirements, on ways to prevent or address substance use  
33 disorder in the provision of psychological services in accordance with  
34 regulated standards promulgated by the department, in consultation with  
35 the department of health and the office of addiction services and  
36 supports. Such training shall be updated as necessary according to best  
37 practices for providing patient-centered care. Course work or training  
38 shall include, but not be limited to: pain management; prevention,  
39 screening and signs of substance use disorders; appropriate responses to  
40 substance use disorders; and harm reduction strategies. In promulgating  
41 regulatory standards pursuant to this section the department is advised  
42 to consult with organizations representative of professions, insti-  
43 tutions and those with expertise in harm reduction strategies and in the  
44 treatment of substance use disorders.

45 § 3. Section 7710 of the education law is amended by adding a new  
46 subdivision 2-a to read as follows:

47 2-a. Every licensed master social worker or licensed clinical social  
48 worker practicing in the state shall complete at least two hours of  
49 course work or training, as part of mandatory continuing education  
50 requirements, on ways to prevent or address substance use disorder in  
51 accordance with regulated standards promulgated by the department, in  
52 consultation with the department of health and the office of addiction  
53 services and supports. Such training shall be updated as necessary  
54 according to best practices for providing patient-centered care. Course  
55 work or training shall include, but not be limited to: pain management;  
56 prevention, screening and signs of substance use disorders; appropriate

1 responses to substance use disorders; and harm reduction strategies. In  
2 promulgating regulatory standards pursuant to this section the depart-  
3 ment is advised to consult with organizations representative of  
4 professions, institutions and those with expertise in harm reduction  
5 strategies and in the treatment of substance use disorders.

6 § 4. Section 8412 of the education law is amended by adding a new  
7 subdivision 2-a to read as follows:

8 2-a. Every licensed mental health counselor, marriage and family ther-  
9 apist, and psychoanalyst practicing in the state shall complete at least  
10 two hours of course work or training, as part of mandatory continuing  
11 education requirements, on ways to prevent or address substance use  
12 disorder in accordance with regulated standards promulgated by the  
13 department, in consultation with the department of health and the office  
14 of addiction services and supports. Such training shall be updated as  
15 necessary according to best practices for providing patient-centered  
16 care. Course work or training shall include, but not be limited to: pain  
17 management; prevention, screening and signs of substance use disorders;  
18 appropriate responses to substance use disorders; and harm reduction  
19 strategies. In promulgating regulatory standards pursuant to this  
20 section the department is advised to consult with organizations repre-  
21 sentative of professions, institutions and those with expertise in harm  
22 reduction strategies and in the treatment of substance use disorders.

23 § 5. Section 6742-a of the education law is amended by adding a new  
24 subdivision 2-a to read as follows:

25 2-a. Every licensed physical therapist and certified physical thera-  
26 apist assistant practicing in the state shall complete at least two hours  
27 of course work or training, as part of mandatory continuing education  
28 requirements, on ways to prevent or address substance use disorder in  
29 accordance with regulated standards promulgated by the department, in  
30 consultation with the department of health and the office of addiction  
31 services and supports. Such training shall be updated as necessary  
32 according to best practices for providing patient-centered care. Course  
33 work or training shall include, but not be limited to: pain management,  
34 prevention, screening and signs of substance use disorders; appropriate  
35 responses to substance use disorders; and harm reduction strategies. In  
36 promulgating regulatory standards pursuant to this section the depart-  
37 ment is advised to consult with organizations representative of  
38 professions, institutions and those with expertise in harm reduction  
39 strategies and in the treatment of substance use disorders.

40 § 6. Section 7908 of the education law is amended by adding a new  
41 subdivision 2-a to read as follows:

42 (2-a) Every occupational therapist practicing in the state shall  
43 complete at least two hours of course work or training, as part of  
44 mandatory continuing education requirements, on ways to prevent or  
45 address substance use disorder in accordance with regulated standards  
46 promulgated by the department, in consultation with the department of  
47 health and the office of addiction services and supports. Such training  
48 shall be updated as necessary according to best practices for providing  
49 patient-centered care. Course work or training shall include, but not be  
50 limited to: pain management; prevention, screening and signs of  
51 substance use disorders; appropriate responses to substance use disor-  
52 ders; and harm reduction strategies. In promulgating regulatory stand-  
53 ards pursuant to this section the department is advised to consult with  
54 organizations representative of professions, institutions and those with  
55 expertise in harm reduction strategies and in the treatment of substance  
56 use disorders.

1 § 7. Section 6554-a of the education law is amended by adding a new  
2 subdivision 2-a to read as follows:

3 2-a. Every chiropractor practicing in the state shall complete at  
4 least two hours of course work or training, as part of mandatory contin-  
5 uing education requirements, on ways to prevent or address substance use  
6 disorder in accordance with regulated standards promulgated by the  
7 department, in consultation with the department of health and the office  
8 of addiction services and supports. Such training shall be updated as  
9 necessary according to best practices for providing patient-centered  
10 care. Course work or training shall include, but not be limited to: pain  
11 management; prevention, screening and signs of substance use disorders;  
12 appropriate responses to substance use disorders; and harm reduction  
13 strategies. In promulgating regulatory standards pursuant to this  
14 section the department is advised to consult with organizations repre-  
15 sentative of professions, institutions and those with expertise in harm  
16 reduction strategies and in the treatment of substance use disorders.

17 § 8. This act shall take effect on the one hundred eightieth day  
18 after it shall have become a law; provided, however, section two of this  
19 act shall take effect on the same date and in the same manner as chapter  
20 436 of the laws of 2018, takes effect.