STATE OF NEW YORK

5093

2019-2020 Regular Sessions

IN SENATE

April 9, 2019

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

AN ACT to amend the education law, in relation to requiring certain professionals to provide and the state education department to collect information about the practice of their professions

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 section 6502-a to read as follows:

§ 6502-a. Renewal of professional license, certification, or registration. 1. This section shall apply to the following professionals licensed, certified, or registered pursuant to this title: physician assistants (article 131-b); specialist assistants (article 131-c); chiropractors (article 132); dentists, dental hygienists, and certified dental assistants (article 133); licensed perfusionists (article 134); physical therapists and physical therapy assistants (article 136); pharmacists (article 137); registered professional nurses, licensed practical nurses, and nurse practitioners (article 139); midwives (article 140); podiatrists (article 141); optometrists (article 143); ophthalmic dispensers (article 144); psychologists (article 153); licensed master social workers and licensed clinical social workers (article 154); massage therapists, masseurs, and masseuses (article 155); occupational therapists and occupational therapy assistants (article 156); certified dietitians and certified nutritionists (article 157); speech-language pathologists and audiologists (article 159); licensed acupuncturists (article 160); certified athletic trainers (article 162); licensed mental health counselors, licensed marriage and family therapists, licensed creative arts therapists, and licensed psychoanalysts (article 163); respiratory therapists and respiratory therapy technicians (article 164); clinical laboratory technologists, cytotechnologists, clinical laboratory technicians, and histological technicians (article 165); professional medical physicists (article 166); certified behavior analyst assistants and licensed behavior analysts (article 167); and licensed pathologists' assistants (article 168).

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

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2. In conjunction with and as a condition of each triennial registration, the professionals described in subdivision one of this section shall provide to the department, and the department shall collect, such information and documentation required by the department, in consultation with the department of health, as is necessary to enable the department of health to evaluate access to needed services in this state, including, but not limited to, the location and type of setting in which the professional practices and other information the department, in consultation with the department of health, deems relevant. The department of health, in consultation with the department, shall make such data available in aggregate, de-identified form on a publicly accessible website.

3. The dates by which the professionals described in subdivision one of this section must comply with the requirements of subdivision two of this section shall be determined by the commissioner and may vary by profession, to allow the development and refinement of necessary program features. However, full implementation of such requirements shall occur no later than three years after the effective date of this section.

§ 2. Paragraph (e) of subdivision 3 of section 6902 of the education law, as amended by section 2 of part D of chapter 56 of the laws of 2014, is amended to read as follows:

(e) [~~(i) In conjunction with and as a condition of each triennial registration, the department shall collect and a nurse practitioner shall provide such information and documentation required by the department, in consultation with the department of health, as necessary to enable the department of health to evaluate access to needed services in this state, including but not limited to the location and type of setting wherein the nurse practitioner practices; if the nurse practitioner has practiced for fewer than three thousand six hundred hours and is practicing pursuant to a written practice agreement with a physician; if the nurse practitioner practices pursuant to collaborative relationships with a physician or hospital; and other information the department, in consultation with the department of health, deems relevant. The department of health, in consultation with the department, will make such data available in aggregate, de-identified form on a publicly accessible website.~~

~~(ii)~~] The commissioner, in consultation with the commissioner of health, shall issue a report on the implementation of the provisions of this section, along with information that includes, but is not limited to: the number of nurse practitioners practicing for fewer than three thousand six hundred hours that practice pursuant to a written practice agreement with a physician; the number of nurse practitioners that practice pursuant to collaborative relationships with physicians or with hospitals; and other information the department deems relevant, including but not limited to, any recommendations for the continuation of or amendments to the provisions of this section relating to written practice agreements or collaborative relationships. The commissioner shall submit this report to the governor, the speaker of the assembly, the temporary president of the senate, and the chairs of the assembly and senate higher education committees by September first, two thousand eighteen.

§ 3. This act shall take effect immediately; provided, however, that the amendments to paragraph (e) of subdivision 3 of section 6902 of the education law made by section two of this act shall not affect the expiration or repeal of such subdivision and shall expire or be deemed repealed therewith.