

# STATE OF NEW YORK

7132

## IN SENATE

(Prefiled)

January 8, 2020

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 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 expertise in harm reduction strategies and in the treatment of substance  
2 use disorders.

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

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

19 § 8. This act shall take effect on the one hundred eightieth day  
20 after it shall have become a law; provided, however, section two of this  
21 act shall take effect on the same date and in the same manner as chapter  
22 436 of the laws of 2018, takes effect.