

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.