

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 apist 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.