STATE OF NEW YORK

3414

2021-2022 Regular Sessions

IN ASSEMBLY

January 26, 2021

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:

Section 1. The education law is amended by adding a new section 6505-d to read as follows:

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

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

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2. As used in this section, "acceptable formal continuing education" shall mean formal programs of learning which contribute to professional practice and which meet the standards prescribed by regulations of the commissioner. To fulfill the mandatory continuing education requirement, programs must be taken from sponsors having the facilities, equipment, and financial and physical resources to provide continuing education courses, approved by the department, pursuant to the regulations of the commissioner. Continuing education may be provided in an internet-based course format as approved by the department.

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

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

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

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

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

5. The commissioner is authorized to promulgate regulations to implement the provisions of this section.

6. Any person subject to the provisions of this section, who falsely attests to having completed the required course work or training shall be subject to professional misconduct as provided by subdivision twenty-one of section sixty-five hundred thirty of this title and subdivision nine of section sixty-five hundred nine of this title.

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

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

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

2-a. Every licensed master social worker or licensed clinical social worker practicing in the state shall complete at least two hours of course work or training, as part of mandatory continuing education requirements, on ways to prevent or address substance use disorder in accordance with regulated standards promulgated by the department, in consultation with the department of health and the office of addiction services and supports. Such training shall be updated as necessary

according to best practices for providing patient-centered care. Course work or training shall include, but not be limited to: pain management; prevention, screening and signs of substance use disorders; appropriate responses to substance use disorders; and harm reduction strategies. In promulgating regulatory standards pursuant to this section the department is advised to consult with organizations representative of professions, institutions and those with expertise in harm reduction strategies and in the treatment of substance use disorders.

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

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

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

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

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

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

organizations representative of professions, institutions and those with expertise in harm reduction strategies and in the treatment of substance use disorders.

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

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

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