

# STATE OF NEW YORK

8366

## IN SENATE

February 16, 2022

Introduced by Sen. HARCKHAM -- 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 education requirements and authorization to develop assessment-based treatment plans for certain mental health practitioners; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 8410 of the education law is amended by adding a  
2 new subdivision 11 to read as follows:

3 11. Prohibit or limit the activities or services on the part of any  
4 person in the employ of a program or service operated, regulated, fund-  
5 ed, or approved by the department of mental hygiene, the office of chil-  
6 dren and family services, the office of temporary and disability assist-  
7 ance, the department of corrections and community supervision, the state  
8 office for the aging, the department of health, or a local governmental  
9 unit as such term is defined in article forty-one of the mental hygiene  
10 law, or a social services district as defined in section sixty-one of  
11 the social services law, provided, however, this subdivision shall not  
12 authorize the use of any license authorized pursuant to this article.

13 § 2. Section 7706 of the education law is amended by adding a new  
14 subdivision 9 to read as follows:

15 9. Prohibit or limit the activities or services on the part of any  
16 person in the employ of a program or service operated, regulated, fund-  
17 ed, or approved by the department of mental hygiene, the office of chil-  
18 dren and family services, the office of temporary and disability assist-  
19 ance, the department of corrections and community supervision, the state  
20 office for the aging, the department of health, or a local governmental  
21 unit as such term is defined in article forty-one of the mental hygiene  
22 law, or a social services district as defined in section sixty-one of  
23 the social services law, provided, however, this subdivision shall not  
24 authorize the use of any license authorized pursuant to article one  
25 hundred sixty-three of this title.

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

LBD14761-01-2

1 § 3. Section 7605 of the education law is amended by adding a new  
2 subdivision 14 to read as follows:

3 14. The activities or services on the part of any person in the employ  
4 of a program or service operated, regulated, funded, or approved by the  
5 department of mental hygiene, the office of children and family  
6 services, the office of temporary and disability assistance, the depart-  
7 ment of corrections and community supervision, the state office for the  
8 aging, the department of health, or a local governmental unit as such  
9 term is defined in article forty-one of the mental hygiene law, or a  
10 social services district as defined in section sixty-one of the social  
11 services law, provided, however, this subdivision shall not authorize  
12 the use of any license authorized pursuant to article one hundred  
13 sixty-three of this title.

14 § 4. This act shall take effect June 24, 2022 and shall expire January  
15 1, 2025 when upon such date the provisions of this act shall be deemed  
16 repealed. Effective immediately, the addition, amendment and/or repeal  
17 of any rule or regulation necessary for the implementation of this act  
18 on or before its effective date are authorized to be made and completed  
19 on or before such effective date.