STATE OF NEW YORK

6378--A

2021-2022 Regular Sessions

IN SENATE

April 26, 2021

Introduced by Sens. HARCKHAM, BROUK -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to the delivery of services that are clinical in nature

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

Section 1. Clause 14 of subparagraph (ii) of paragraph (c) of subdivision 10 of section 7605 of the education law, as amended by section 2 of part Y of chapter 57 of the laws of 2018, is amended to read as follows:

(14) directly delivering services outlined in the service plan that are not clinical in nature but have been tailored to an individual based on any diagnoses such individual may have received from a licensed professional**, provided, however, such services that are clinical in nature may be delivered by persons serving in programs under the jurisdiction of the department of mental hygiene, while under a level of supervision by a licensed professional as determined by the appropriate mental hygiene commissioner**; and

§ 2. Clause 14 of subparagraph (ii) of paragraph (c) of subdivision 7 of section 7706 of the education law, as amended by section 4 of part Y of chapter 57 of the laws of 2018, is amended to read as follows:

(14) directly delivering services outlined in the service plan that are not clinical in nature but have been tailored to an individual based on any diagnoses such individual may have received from a licensed professional**, provided, however, such services that are clinical in nature may be delivered by persons serving in programs under the jurisdiction of the department of mental hygiene, while under a level of supervision by a licensed professional as determined by the appropriate mental hygiene commissioner**; and

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

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§ 3. Clause 14 of subparagraph (ii) of paragraph (c) of subdivision 8 of section 8410 of the education law, as amended by section 5 of part Y of chapter 57 of the laws of 2018, is amended to read as follows:

(14) directly delivering services outlined in the service plan that are not clinical in nature but have been tailored to an individual based on any diagnoses such individual may have received from a licensed professional**, provided, however, such services that are clinical in nature may be delivered by persons serving in programs under the jurisdiction of the department of mental hygiene, while under a level of supervision by a licensed professional as determined by the appropriate mental hygiene commissioner**; and

§ 4. This act shall take effect June 24, 2022.