

STATE OF NEW YORK

2033--A

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

Introduced by M. of A. L. ROSENTHAL, OTIS, STIRPE, BENEDETTO, FAHY, ZEBROWSKI, DICKENS, PAULIN, HEVESI, CRUZ, REYES, GALLAGHER, JONES, KELLES, LUPARDO, MIKULIN, WALSH, BURGOS, ZINERMAN, AUBRY, SEAWRIGHT, DINOWITZ, SAYEGH, BICHOTTE HERMELYN, GUNTHER, CLARK, SMITH, FORREST, JACKSON, HYNDMAN, CARROLL, SILLITTI, CUNNINGHAM, SHIMSKY, SIMON, WALLACE, SLATER -- Multi-Sponsored by -- M. of A. BRAUNSTEIN, EPSTEIN, McDONOUGH -- read once and referred to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law and the social services law, in relation to the practice of a licensed school psychology practitioner

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

1 Section 1. Legislative intent and findings. The legislature finds
2 that the ever-growing social and emotional needs of children and youth
3 have only been intensified by the COVID-19 pandemic. The legislature
4 acknowledges that the U.S. Surgeon General has declared a national emer-
5 gency in relation to children's mental health, and that parents and
6 professionals are calling for greater access to mental health services
7 for children. The legislature therefore intends to ensure services are
8 available for children, youth, and their parents to seek the help they
9 need by allowing school psychology professionals to assist these indi-
10 viduals outside of a traditional setting. The legislature finds that
11 increasing the number of trained professionals who are able to provide
12 mental health services outside of an educational setting will be posi-
13 tive for the children, parents, school, and society. School psychology
14 professionals are trained and educated in psychopathology, the psychol-
15 ogy of learning, motivation and human development in order to address
16 the many factors influencing their adjustment in school and life.
17 Accordingly, these factors may include trauma, social and emotional

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

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1 adjustment, inequitable and historically marginalized community condi-
2 tions, school climate, and home/school/community collaboration. The
3 legislature therefore declares that by addressing the needs of children
4 through prevention services, assessments and/or counseling, school
5 psychology professionals can contribute to their future success. It is
6 important that school psychology professionals are held to specific
7 standards and requirements that will ensure competent services.

8 § 2. The education law is amended by adding a new article 153-A to
9 read as follows:

10 ARTICLE 153-A

11 LICENSED SCHOOL PSYCHOLOGY PRACTITIONER

12 Section 7620. Introduction.

13 7621. Practice of licensed school psychology practitioner and
14 use of the title "licensed school psychology practition-
15 er".

16 7622. Definition of the practice of a licensed school psychology
17 practitioner.

18 7623. Requirements for a professional license.

19 7624. Boundaries of professional competency.

20 7625. Limited permits.

21 7626. Exemptions.

22 7627. Special provisions.

23 § 7620. Introduction. This article applies to the profession and prac-
24 tice of a licensed school psychology practitioner and to the use of the
25 title "licensed school psychology practitioner". The general provisions
26 for all professions contained in article one hundred thirty of this
27 title apply to this article.

28 § 7621. Practice of licensed school psychology practitioner and use of
29 the title "licensed school psychology practitioner". Only a person
30 licensed or exempt under this article shall practice as a licensed
31 school psychology practitioner or use the title "licensed school
32 psychology practitioner".

33 § 7622. Definition of the practice of a licensed school psychology
34 practitioner. The practice of a licensed school psychology practitioner
35 is:

36 1. the assessment, including psycho-educational, developmental and
37 vocational assessment, evaluation and interpretation of intelligence,
38 cognitive processes, aptitudes, interests, academic achievement, adjust-
39 ment, personality factors and motivations, or any other attributes, to
40 individuals or groups of individuals aged birth to twenty-two years that
41 relate to learning, education or adjustment needs;

42 2. the development and implementation of educationally-related
43 psychotherapeutic and behavioral approaches to increase school adjust-
44 ment and academic success, counseling and interpretive services to
45 reduce education-related problems including, but not limited to, verbal
46 interaction, interviewing, behavior techniques, developmental and voca-
47 tional intervention, environmental management and group processes;

48 3. consultation with representatives of schools, agencies and organ-
49 izations, families or individuals, including psycho-educational, devel-
50 opmental and vocational assistance or direct educational services,
51 related to learning problems and adjustments to those problems to the
52 benefit of an individual or group of individuals aged birth to twenty-
53 two years; and

54 4. the development of programming, including designing, implementing
55 or evaluating educationally and psychologically sound learning environ-

1 ments and the facilitation of psycho-educational development of individ-
2 uals, families or groups.

3 § 7623. Requirements for a professional license. To qualify for a
4 license as a licensed school psychology practitioner, an applicant shall
5 fulfill the following requirements:

6 1. Application: File an application with the department;

7 2. Education: Complete a minimum of sixty graduate semester hours in
8 psychology credits including a master's degree and fulfill the require-
9 ments of an advanced degree in school psychology or its equivalent or
10 doctoral degree in school psychology from a program registered by the
11 department, or determined by the department to be the substantial equiv-
12 alent in accordance with the commissioner's regulations. The graduate
13 coursework shall reflect the training and credentialing standards estab-
14 lished by a national certifying body having school psychology certif-
15 ication or regional standards acceptable to the commissioner and
16 include, but not be limited to, the following areas:

17 (i) biological, social and cultural bases of development;

18 (ii) psychopathology and exceptionality in learning and behavior;

19 (iii) assessment and appraisal of learners in home and school
20 contexts;

21 (iv) consultation and collaboration in family, school and community
22 systems;

23 (v) effective instruction and development of cognitive and academic
24 skills;

25 (vi) prevention and treatment of behavioral and emotional disorders
26 and deficits;

27 (vii) school organization, curriculum, policy and law;

28 (viii) research and program evaluation;

29 (ix) professional and ethical practice of psychology in schools; and

30 (x) completion of a twelve hundred hour supervised internship in
31 school psychology, with no less than six hundred hours completed within
32 a school setting or such other setting otherwise governed by the
33 provisions of section sixty-five hundred three-a or sixty-five hundred
34 three-b of this title relating to waivers for entities providing profes-
35 sional services.

36 3. Experience: Complete a minimum of two thousand four hundred hours
37 of post-master's supervised experience relevant to the practice of
38 school psychology satisfactory to the board and in accordance with the
39 commissioner's regulations, such supervised experience which may include
40 one thousand two hundred hours completed as part of a program in school
41 psychology. Satisfactory experience obtained in an entity operating
42 under a waiver issued by the department pursuant to section sixty-five
43 hundred three-a of this title may be accepted by the department,
44 notwithstanding that such experience may have been obtained prior to the
45 effective date of such section sixty-five hundred three-a and/or prior
46 to the entity having obtained a waiver. The department may, for good
47 cause shown, accept satisfactory experience that was obtained in a
48 setting that would have been eligible for a waiver but which has not
49 obtained a waiver from the department or experience that was obtained in
50 good faith by the applicant under the belief that appropriate authori-
51 zation had been obtained for the experience, provided that such experi-
52 ence meets all other requirements for acceptable experience;

53 4. Examination: Pass an examination satisfactory to the board and in
54 accordance with the commissioner's regulations;

55 5. Age: Be at least twenty-one years of age;

1 6. Character: Be of good moral character as determined by the depart-
2 ment; and

3 7. Fees: Pay a fee of one hundred seventy-five dollars to the depart-
4 ment for admission to a department conducted examination and for an
5 initial license and a fee of one hundred seventy dollars for each trien-
6 ennial registration period.

7 § 7624. Boundaries of professional competency. 1. It shall be deemed
8 practicing outside the boundaries of a person's professional competence
9 for a person licensed pursuant to this article, in the case of treatment
10 of any serious mental illness, to provide any mental health services
11 for such illness on a continuous and sustained basis without a medical
12 evaluation of the illness by, and consultation with, a physician regard-
13 ing such illness. Such medical evaluation and consultation shall be to
14 determine and advise whether any medical care is indicated for such
15 illness. For purposes of this section, "serious mental illness" means
16 schizophrenia, schizoaffective disorder, bipolar disorder, major
17 depressive disorder, panic disorder and obsessive-compulsive disorder.
18 Nothing in this section shall be construed to prevent, limit or impair
19 consultation with any other health or mental health professional. Noth-
20 ing herein contained shall limit, modify, restrict or otherwise affect
21 the definition of the practice of a licensed school psychology practi-
22 tioner as provided in section seventy-six hundred twenty-two of this
23 article.

24 2. Any individual whose license or authority to practice derives from
25 the provisions of this article shall be prohibited from:

26 (a) prescribing or administering drugs as defined in this chapter as a
27 treatment, therapy, or professional service in the practice of such
28 individual's profession;

29 (b) using invasive procedures as a treatment, therapy, or professional
30 service in the practice of such individual's profession. For purposes of
31 this subdivision, "invasive procedure" means any procedure in which
32 human tissue is cut, altered, or otherwise infiltrated by mechanical or
33 other means. Invasive procedure includes surgery, lasers, ionizing
34 radiation, therapeutic ultrasound, or electroconvulsive therapy; or

35 (c) engaging in dual setting practice, or otherwise offering or
36 providing private practice services to a student of a school or special
37 education program where the practitioner is currently employed or under
38 contract with such school or program.

39 3. Nothing in this article shall be deemed to authorize, grant or
40 extend hospital privileges to individuals licensed under this article.

41 § 7625. Limited permits. 1. The department may issue a limited permit
42 to an applicant whose qualifications have been approved for admission to
43 the examination in accordance with regulations promulgated therefor.

44 2. Limited permits shall be for two years and be renewed, at the
45 discretion of the department, for one additional year.

46 3. The fee for each limited permit and for each renewal shall be
47 seventy dollars.

48 § 7626. Exemptions. Nothing contained in this article shall be
49 construed to:

50 1. apply to the practice, conduct, activities, services or use of any
51 title by any person licensed or otherwise authorized to practice medi-
52 cine within the state pursuant to article one hundred thirty-one of this
53 title or by any person registered to perform services as a physician
54 assistant within the state pursuant to article one hundred thirty-one-B
55 of this title or by any person licensed or otherwise authorized to prac-
56 tice psychology within this state pursuant to article one hundred

1 fifty-three of this title or by any person licensed or otherwise author-
2 ized to practice as a licensed clinical social worker within this state
3 pursuant to article one hundred fifty-four of this title, or by any
4 person licensed or otherwise authorized to practice nursing as a regis-
5 tered professional nurse within this state pursuant to article one
6 hundred thirty-nine of this title, or by any person licensed or other-
7 wise authorized to practice mental health counseling, marriage and fami-
8 ly therapy, creative arts therapy, or psychoanalysis within the state,
9 or by any person licensed or otherwise authorized to practice applied
10 behavior analysis within the state pursuant to this article; provided,
11 however, that no physician, physician's assistant, registered profes-
12 sional nurse, psychologist, licensed clinical social worker, licensed
13 mental health counselor, licensed marriage and family therapist,
14 licensed creative arts therapist, licensed psychoanalyst or licensed
15 applied behavior analyst may use the title unless licensed under this
16 article;

17 2. prohibit or limit any individual who is credentialed under any law,
18 including attorneys, rape crisis counselors, certified alcoholism coun-
19 selors and certified substance abuse counselors from providing mental
20 health services within their respective established authorities;

21 3. prohibit or limit the practice of a profession licensed pursuant
22 to this article by a student, intern or resident in, and as a part of, a
23 supervised educational program in an institution approved by the depart-
24 ment;

25 4. prohibit or limit the provision of pastoral counseling services by
26 any member of the clergy or Christian Science practitioner, within the
27 context of such member of the clergy or Christian Science practitioner's
28 ministerial charge or obligation;

29 5. prohibit or limit individuals, churches, schools, teachers, organ-
30 izations, or not-for-profit businesses, from providing instruction,
31 advice, support, encouragement, or information to individuals, families,
32 and relational groups;

33 6. prohibit or limit an occupational therapist from performing work
34 consistent with article one hundred fifty-six of this title;

35 7. affect or prevent the activities or services on the part of a
36 person in the employ of a federal, state, county, or municipal agency,
37 other political subdivision, or a chartered elementary or secondary
38 school or degree-granting educational institution insofar as such activ-
39 ities and services are a part of the duties of such person's salaried
40 position; or

41 8. impair or affect the conduct, activities or services of a techni-
42 cian to administer and score standardized objective (non-projective)
43 psychological or neuropsychological tests which have specific predeter-
44 mined and manualized administrative procedures which entail observing
45 and describing test behavior and test responses, and which do not
46 require evaluation, interpretation or other judgments as provided in
47 subdivision eleven of section seventy-six hundred five of this title.

48 § 7627. Special provisions. 1. Any nonexempt person practicing the
49 profession of licensed school psychology practitioner shall apply for a
50 license of such profession within one year of the effective date of this
51 section.

52 (a) If such person does not meet the requirements for a license estab-
53 lished within this article, such person may meet alternative criteria
54 determined by the department to be the substantial equivalent of such
55 criteria.

1 (b) If such person meets the requirements for a license established
2 within this article, except for examination, and has been certified or
3 registered by a national certifying or registering body having certifi-
4 cation or registration standards acceptable to the commissioner, the
5 department shall license without examination.

6 2. Notwithstanding the requirements of section seventy-six hundred
7 twenty-three of this article, and for a period of time not to exceed two
8 years from the effective date of this article, an individual may be
9 licensed as a school psychology practitioner provided such person has
10 either:

11 (a) met the educational requirements as defined in section seventy-six
12 hundred twenty-three of this article and performed the duties of a
13 school psychologist as authorized by article one hundred fifty-three of
14 this title or any other provision of law, for two of the past five years
15 prior to the effective date of this article; or

16 (b) performed the duties of a school psychologist as authorized by
17 article one hundred fifty-three of this title or any other provision of
18 law, for at least five years prior to the effective date of this arti-
19 cle.

20 3. Any person licensed pursuant to this article may use accepted codes
21 and classifications of signs, symptoms, dysfunctions and disorders, as
22 approved in accordance with regulations promulgated by the department,
23 in the practice of such licensed profession.

24 4. Nothing in this article shall be deemed to alter, modify or affect
25 the provisions of section three thousand twelve or twenty-five hundred
26 ten of this chapter or otherwise affect the certification of a school
27 psychologist.

28 § 3. Paragraph a of subdivision 3 of section 6507 of the education
29 law, as amended by chapter 479 of the laws of 2022, is amended to read
30 as follows:

31 a. Establish standards for preprofessional and professional education,
32 experience and licensing examinations as required to implement the arti-
33 cle for each profession. Notwithstanding any other provision of law, the
34 commissioner shall establish standards requiring that all persons apply-
35 ing, on or after January first, nineteen hundred ninety-one, initially,
36 or for the renewal of, a license, registration or limited permit to be a
37 physician, chiropractor, dentist, registered nurse, podiatrist, optome-
38 trist, psychiatrist, psychologist, licensed school psychology practi-
39 tioner, licensed master social worker, licensed clinical social worker,
40 licensed creative arts therapist, licensed marriage and family thera-
41 pist, licensed mental health counselor, licensed psychoanalyst, dental
42 hygienist, licensed behavior analyst, or certified behavior analyst
43 assistant shall, in addition to all the other licensure, certification
44 or permit requirements, have completed two hours of coursework or train-
45 ing regarding the identification and reporting of child abuse and
46 maltreatment. The coursework or training shall be obtained from an
47 institution or provider which has been approved by the department to
48 provide such coursework or training. The coursework or training shall
49 include information regarding the physical and behavioral indicators of
50 child abuse and maltreatment and the statutory reporting requirements
51 set out in sections four hundred thirteen through four hundred twenty of
52 the social services law, including but not limited to, when and how a
53 report must be made, what other actions the reporter is mandated or
54 authorized to take, the legal protections afforded reporters, and the
55 consequences for failing to report. Such coursework or training may also
56 include information regarding the physical and behavioral indicators of

1 the abuse of individuals with developmental disabilities and voluntary
2 reporting of abused or neglected adults to the office for people with
3 developmental disabilities or the local adult protective services unit.
4 Each applicant shall provide the department with documentation showing
5 that [~~he or she~~] such applicant has completed the required training. The
6 department shall provide an exemption from the child abuse and maltreat-
7 ment training requirements to any applicant who requests such an
8 exemption and who shows, to the department's satisfaction, that there
9 would be no need because of the nature of [~~his or her~~] such applicant's
10 practice for [~~him or her~~] such applicant to complete such training;

11 § 4. Paragraph a of subdivision 3 of section 6507 of the education
12 law, as amended by chapter 733 of the laws of 2023, is amended to read
13 as follows:

14 a. Establish standards for preprofessional and professional education,
15 experience and licensing examinations as required to implement the arti-
16 cle for each profession. Notwithstanding any other provision of law, the
17 commissioner shall establish standards requiring that all persons apply-
18 ing, on or after January first, nineteen hundred ninety-one, initially,
19 or for the renewal of, a license, registration or limited permit to be a
20 physician, chiropractor, dentist, registered nurse, podiatrist, optome-
21 trist, psychiatrist, psychologist, licensed school psychology practi-
22 tioner, licensed master social worker, licensed clinical social worker,
23 licensed creative arts therapist, licensed marriage and family thera-
24 pist, licensed mental health counselor, licensed psychoanalyst, dental
25 hygienist, licensed behavior analyst, certified behavior analyst assist-
26 ant, or athletic trainer shall, in addition to all the other licensure,
27 certification or permit requirements, have completed two hours of
28 coursework or training regarding the identification and reporting of
29 child abuse and maltreatment. The coursework or training shall be
30 obtained from an institution or provider which has been approved by the
31 department to provide such coursework or training. The coursework or
32 training shall include information regarding the physical and behavioral
33 indicators of child abuse and maltreatment and the statutory reporting
34 requirements set out in sections four hundred thirteen through four
35 hundred twenty of the social services law, including but not limited to,
36 when and how a report must be made, what other actions the reporter is
37 mandated or authorized to take, the legal protections afforded repor-
38 ters, and the consequences for failing to report. Such coursework or
39 training may also include information regarding the physical and behav-
40 ioral indicators of the abuse of individuals with developmental disabil-
41 ities and voluntary reporting of abused or neglected adults to the
42 office for people with developmental disabilities or the local adult
43 protective services unit. Each applicant shall provide the department
44 with documentation showing that [~~he or she~~] such applicant has completed
45 the required training. The department shall provide an exemption from
46 the child abuse and maltreatment training requirements to any applicant
47 who requests such an exemption and who shows, to the department's satis-
48 faction, that there would be no need because of the nature of [~~his or~~
49 ~~her~~] such applicant's practice for [~~him or her~~] such applicant to
50 complete such training;

51 § 5. Section 7602 of the education law, as added by chapter 987 of the
52 laws of 1971, is amended to read as follows:

53 § 7602. State board for psychology. A state board for psychology
54 shall be appointed by the board of regents on recommendation of the
55 commissioner for the purpose of assisting the board of regents and the
56 department on matters of professional licensing and professional conduct

1 in accordance with section sixty-five hundred eight of this title. The
2 board shall be composed of not less than eleven [~~psychologists licensed~~
3 ~~in this state~~] members, seven of whom shall be licensed psychologists,
4 two of whom shall be licensed school psychology practitioners and two of
5 whom shall be public members. An executive secretary to the board shall
6 be appointed by the board of regents upon the recommendation of the
7 commissioner and shall be a psychologist, licensed in this state.

8 § 6. Paragraph (a) of subdivision 1 of section 413 of the social
9 services law, as amended by section 7 of part C of chapter 57 of the
10 laws of 2018, is amended to read as follows:

11 (a) The following persons and officials are required to report or
12 cause a report to be made in accordance with this title when they have
13 reasonable cause to suspect that a child coming before them in their
14 professional or official capacity is an abused or maltreated child, or
15 when they have reasonable cause to suspect that a child is an abused or
16 maltreated child where the parent, guardian, custodian or other person
17 legally responsible for such child comes before them in their profes-
18 sional or official capacity and states from personal knowledge facts,
19 conditions or circumstances which, if correct, would render the child an
20 abused or maltreated child: any physician; registered physician assist-
21 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;
22 osteopath; optometrist; chiropractor; podiatrist; resident; intern;
23 psychologist; licensed school psychology practitioner; registered nurse;
24 social worker; emergency medical technician; licensed creative arts
25 therapist; licensed marriage and family therapist; licensed mental
26 health counselor; licensed psychoanalyst; licensed behavior analyst;
27 certified behavior analyst assistant; hospital personnel engaged in the
28 admission, examination, care or treatment of persons; a Christian
29 Science practitioner; school official, which includes but is not limited
30 to school teacher, school guidance counselor, school psychologist,
31 school social worker, school nurse, school administrator or other school
32 personnel required to hold a teaching or administrative license or
33 certificate; full or part-time compensated school employee required to
34 hold a temporary coaching license or professional coaching certificate;
35 social services worker; employee of a publicly-funded emergency shelter
36 for families with children; director of a children's overnight camp,
37 summer day camp or traveling summer day camp, as such camps are defined
38 in section thirteen hundred ninety-two of the public health law; day
39 care center worker; school-age child care worker; provider of family or
40 group family day care; employee or volunteer in a residential care
41 facility for children that is licensed, certified or operated by the
42 office of children and family services; or any other child care or
43 foster care worker; mental health professional; substance abuse counse-
44 lor; alcoholism counselor; all persons credentialed by the office of
45 [~~alcoholism and substance abuse~~] addiction services and supports;
46 employees, who are expected to have regular and substantial contact with
47 children, of a health home or health home care management agency
48 contracting with a health home as designated by the department of health
49 and authorized under section three hundred sixty-five-1 of this chapter
50 or such employees who provide home and community based services under a
51 demonstration program pursuant to section eleven hundred fifteen of the
52 federal social security act who are expected to have regular and
53 substantial contact with children; peace officer; police officer;
54 district attorney or assistant district attorney; investigator employed
55 in the office of a district attorney; or other law enforcement official.

1 § 7. Paragraph (a) of subdivision 1 of section 413 of the social
2 services law, as amended by chapter 733 of the laws of 2023, is amended
3 to read as follows:

4 (a) The following persons and officials are required to report or
5 cause a report to be made in accordance with this title when they have
6 reasonable cause to suspect that a child coming before them in their
7 professional or official capacity is an abused or maltreated child, or
8 when they have reasonable cause to suspect that a child is an abused or
9 maltreated child where the parent, guardian, custodian or other person
10 legally responsible for such child comes before them in their profes-
11 sional or official capacity and states from personal knowledge facts,
12 conditions or circumstances which, if correct, would render the child an
13 abused or maltreated child: any physician; registered physician assist-
14 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;
15 osteopath; optometrist; chiropractor; podiatrist; resident; intern;
16 athletic trainer; psychologist; licensed school psychology practitioner;
17 registered nurse; social worker; emergency medical technician; licensed
18 creative arts therapist; licensed marriage and family therapist;
19 licensed mental health counselor; licensed psychoanalyst; licensed
20 behavior analyst; certified behavior analyst assistant; hospital person-
21 nel engaged in the admission, examination, care or treatment of persons;
22 a Christian Science practitioner; school official, which includes but is
23 not limited to school teacher, school guidance counselor, school
24 psychologist, school social worker, school nurse, school administrator
25 or other school personnel required to hold a teaching or administrative
26 license or certificate; full or part-time compensated school employee
27 required to hold a temporary coaching license or professional coaching
28 certificate; social services worker; employee of a publicly-funded emer-
29 gency shelter for families with children; director of a children's over-
30 night camp, summer day camp or traveling summer day camp, as such camps
31 are defined in section thirteen hundred ninety-two of the public health
32 law; day care center worker; school-age child care worker; provider of
33 family or group family day care; employee or volunteer in a residential
34 care facility for children that is licensed, certified or operated by
35 the office of children and family services; or any other child care or
36 foster care worker; mental health professional; substance abuse counse-
37 lor; alcoholism counselor; all persons credentialed by the office of
38 alcoholism and substance abuse services; employees, who are expected to
39 have regular and substantial contact with children, of a health home or
40 health home care management agency contracting with a health home as
41 designated by the department of health and authorized under section
42 three hundred sixty-five-1 of this chapter or such employees who provide
43 home and community based services under a demonstration program pursuant
44 to section eleven hundred fifteen of the federal social security act who
45 are expected to have regular and substantial contact with children;
46 peace officer; police officer; district attorney or assistant district
47 attorney; investigator employed in the office of a district attorney; or
48 other law enforcement official.

49 § 8. Subparagraph (i) of paragraph a of subdivision 1 of section
50 6503-a of the education law, as amended by chapter 554 of the laws of
51 2013, is amended to read as follows:

52 (i) services provided under article one hundred fifty-three-A, one
53 hundred fifty-four, one hundred sixty-three or one hundred sixty-seven
54 of this title for which licensure would be required, or

55 § 9. Severability. If any clause, sentence, paragraph, section or part
56 of this act shall be adjudged by any court of competent jurisdiction to

1 be invalid, the judgment shall not affect, impair, or invalidate the
2 remainder thereof, but shall be confined in its operation to the clause,
3 sentence, paragraph, section or part thereof directly involved in the
4 controversy in which the judgment shall have been rendered.

5 § 10. This act shall take effect eighteen months after it shall have
6 become a law; provided, however, that:

7 (a) sections four and seven of this act shall take effect on the same
8 date and in the same manner as sections 10 and 12 of chapter 733 of the
9 laws of 2023 take effect;

10 (b) effective immediately the department of education is authorized to
11 promulgate any and all rules and regulations and take any other measure
12 necessary to implement this act on or before its effective date, includ-
13 ing, but not limited to, the appointment of the state board for psychol-
14 ogy, the acceptance and processing of applications for licensure and the
15 issuance of licenses; and

16 (c) the provisions of article 153-A of the education law, as added by
17 section two of this act, requiring a license or limited permit to prac-
18 tice under such article shall not be enforced until twenty-four months
19 after the effective date of this act.