STATE OF NEW YORK

4148--A

2023-2024 Regular Sessions

IN SENATE

February 3, 2023

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to authorizing certain health care professionals licensed to practice in other jurisdictions to practice in this state

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 6529-a to read as follows:

§ 6529-a. Licensed to practice in another state or territory. Notwithstanding any inconsistent provision of law, any person who is licensed to practice as a physician in another state or territory, who is in good standing in such state or territory may provide professional services within this state to persons seeking reproductive health services without first being licensed pursuant to the provisions of this article. Such services shall be provided only after such person applies for a license pursuant to the provisions of this article, as may be applicable, and demonstrates their intent to provide reproductive health services by providing a letter declaring the person's intention to provide such services and a letter from an employer or health care entity indicating that the person has accepted employment or entered into a contract to provide reproductive health services, the person's start date and the location where reproductive health services will be provided. Such person may continue providing services pursuant to this section until such time that their license or certification to practice is approved or denied. Provided however, that such person shall comply with all applicable licensure and regulatory requirements and shall practice within the scope of their license. Provided further, this section shall not apply to persons licensed in a state or territory

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

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determined to have substandard or nonconforming professional licensing requirements, as determined by the commissioner.

§ 2. The education law is amended by adding a new section 6546-a to read as follows:

§ 6546-a. Licensed to practice in another state or territory. Notwithstanding any inconsistent provision of law, any person who is licensed to practice as a physician assistant in another state or territory, who is in good standing in such state or territory may provide professional services within this state to persons seeking reproductive health services without first being licensed pursuant to the provisions of this article. Such services shall be provided only after such person applies for a license pursuant to the provisions of this article, as may be applicable, and demonstrates their intent to provide reproductive health services by providing a letter declaring the person's intention to provide such services and a letter from an employer or health care entity indicating that the person has accepted employment or entered into a contract to provide reproductive health services, the person's start date and the location where reproductive health services will be provided. Such person may continue providing services pursuant to this section until such time that their license or certification to practice is approved or denied. Provided however, that such person shall comply with all applicable licensure and regulatory requirements and shall practice within the scope of their license. Provided further, this section shall not apply to persons licensed in a state or territory determined to have substandard or nonconforming professional licensing requirements, as determined by the commissioner.

§ 3. The education law is amended by adding a new section 6907-b to read as follows:

§ 6907-b. Licensed to practice in another state or territory. Notwithstanding any inconsistent provision of law, any person who is licensed to practice as a nurse practitioner or registered professional nurse in another state or territory, who is in good standing in such state or territory may provide professional services within this state to persons seeking reproductive health services without first being licensed pursuant to the provisions of this article. Such services shall be provided only after such person applies for a license pursuant to the provisions of this article, as may be applicable, and demonstrates their intent to provide reproductive health services by providing a letter declaring the person's intention to provide such services and a letter from an employer or health care entity indicating that the person has accepted employment or entered into a contract to provide reproductive health services, the person's start date and the location where reproductive health services will be provided. Such person may continue providing services pursuant to this section until such time that their license or certification to practice is approved or denied. Provided however, that such person shall comply with all applicable licensure and regulatory requirements and shall practice within the scope of their license. Provided further, this section shall not apply to persons licensed in a state or territory determined to have substandard or nonconforming professional licensing requirements, as determined by the commissioner.

§ 4. The education law is amended by adding a new section 6958-a to read as follows:

§ 6958-a. Licensed to practice in another state or territory. Notwithstanding any inconsistent provision of law, any person who is licensed to practice as a midwife in another state or territory, who is

in good standing in such state or territory may provide professional services within this state to persons seeking reproductive health services without first being licensed pursuant to the provisions of this article. Such services shall be provided only after such person applies for a license pursuant to the provisions of this article, as may be applicable, and demonstrates their intent to provide reproductive health services by providing a letter declaring the person's intention to provide such services and a letter from an employer or health care entity indicating that the person has accepted employment or entered into a contract to provide reproductive health services, the person's start date and the location where reproductive health services will be provided. Such person may continue providing services pursuant to this section until such time that their license or certification to practice is approved or denied. Provided however, that such person shall comply with all applicable licensure and regulatory requirements and shall practice within the scope of their license. Provided further, this section shall not apply to persons licensed in a state or territory determined to have substandard or nonconforming professional licensing requirements, as determined by the commissioner.

§ 5. This act shall take effect immediately.