STATE OF NEW YORK

5389

2023-2024 Regular Sessions

IN SENATE

March 3, 2023

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:

Section 1. Section 8410 of the education law is amended by adding a new subdivision 12 to read as follows:

12. Prohibit or limit the activities or services on the part of any person in the employ of a program or service operated, regulated, funded, or approved by the department of mental hygiene, the office of children and family services, the office of temporary and disability assistance, the department of corrections and community supervision, the state office for the aging, the department of health, or a local governmental unit as such term is defined in article forty-one of the mental hygiene law, or a social services district as defined in section sixty-one of the social services law, provided, however, this subdivision shall not authorize the use of any license authorized pursuant to this article.

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

9. Prohibit or limit the activities or services on the part of any person in the employ of a program or service operated, regulated, funded, or approved by the department of mental hygiene, the office of children and family services, the office of temporary and disability assistance, the department of corrections and community supervision, the state office for the aging, the department of health, or a local governmental unit as such term is defined in article forty-one of the mental hygiene law, or a social services district as defined in section sixty-one of the social services law, provided, however, this subdivision shall not

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

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authorize the use of any license authorized pursuant to article one hundred sixty-three of this title.

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

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

§ 4. This act shall take effect June 24, 2023 and shall expire January 1, 2026 when upon such date the provisions of this act shall be deemed repealed. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on or before its effective date are authorized to be made and completed on or before such effective date.