STATE OF NEW YORK

9087--A

IN ASSEMBLY

February 6, 2024

Introduced by M. of A. THIELE -- read once and referred 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 and the social services law, in relation to the licensure of dietitian nutritionists and nutritionists; and to repeal certain provisions of the education law relating thereto

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

Section 1. Section 8000 of the education law, as added by chapter 635 of the laws of 1991, is amended to read as follows:

§ 8000. Introduction. This article applies to the [~~use of the titles "certified dietitian" and "certified nutritionist"~~] **licensing of dietitian nutritionists and nutritionists. A "licensed dietitian nutritionist" shall mean a person duly licensed under this article as meeting the requirements of subdivision two of section eight thousand four of this article to practice dietetics and nutrition, which includes the practice of medical nutrition therapy. A "licensed nutritionist" shall mean a person duly licensed under this article as meeting the requirements of subdivision one of section eight thousand four of this article to practice nutrition, which includes the practice of medical nutrition therapy**. The general provision for all professions contained in article one hundred thirty of this title shall apply to this article.

§ 2. Section 8001 of the education law, as added by chapter 635 of the laws of 1991, is amended to read as follows:

§ 8001. [~~Definitions~~] **Dietetic and nutrition practice**. [~~1. Dietetics and nutrition are herein each defined as the integration and application of principles derived from the sciences of nutrition, biochemistry, physiology, food management and behavioral and social sciences to achieve and maintain people's health.~~

~~2. Where the title "certified dietitian" or "certified nutritionist" is used in this article it shall mean "certified dietitian", "certified dietician", or "certified nutritionist".~~

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

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~~3. A certified dietitian or certified nutritionist is one who engages in the integration and application of principles derived from the sciences of nutrition, biochemistry, physiology, food management and behavioral and social sciences to achieve and maintain people's health, and who is certified as such by the department pursuant to section eight thousand four of this article. The primary function of a certified dietitian or certified nutritionist is the provision of nutrition care services that shall include:~~

~~(a) Assessing nutrition needs and food patterns;~~

~~(b) Planning for and directing the provision of food appropriate for physical and nutrition needs; and~~

~~(c) Providing nutrition counseling.~~] 1. The practice of dietetics encompasses the practice of nutrition and includes providing advanced medical nutrition therapy and related support activities including the development and ordering of therapeutic diets via enteral and parenteral routes; conducting swallow screens; placing nasogastric or nasoenteric feeding tubes; implementing prescription drug dose adjustments under medical staff or prescriber-approved disease treatment protocols; ordering or discontinuing use of vitamin, mineral, and other dietary supplements; and developing and managing food service operations for the management or treatment of disease or medical conditions.

2. The practice of nutrition involves the provision of nutrition care services in-person or via telehealth, including medical nutrition therapy, to prevent, manage, or treat diseases or medical conditions and promote wellness. The practice of nutrition shall include the ordering of patient diets, including oral therapeutic diets; the ordering of medical laboratory tests related to nutritional therapeutic treatments; and the provision of recommendations on vitamin, mineral, and other dietary supplements.

§ 3. Section 8002 of the education law, as added by chapter 635 of the laws of 1991, is amended to read as follows:

§ 8002. Use of titles. [~~Only a~~] 1. No person [~~certified under this article shall be authorized to use the title "certified dietitian", "certified dietician", or "certified nutritionist"~~] may designate or hold such person out as a dietitian nutritionist or use or assume the title "dietitian nutritionist", "licensed dietitian nutritionist", "dietician", or any other title indicating that the person is a licensed dietitian nutritionist or append to or use in conjunction with that person's name the letters "LDN" or "LD" unless such person is licensed as a dietitian nutritionist under this article.

2. No person may use or assume any title indicating that the person is a licensed nutritionist or append to or use in conjunction with that person's name the letters "LN" unless the person is licensed as a nutritionist under this article.

3. No person may designate or hold such person out as a nutritionist or use or assume the title "nutritionist" unless the person is licensed under this article.

§ 4. The education law is amended by adding a new section 8002-a to read as follows:

§ 8002-a. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "Medical nutrition therapy" means the provision of nutrition assessment, nutrition diagnosis, nutrition intervention, or nutrition monitoring and evaluation for the purpose of management or treatment of a disease or medical condition. Only a person licensed or otherwise

exempt under this article shall practice medical nutrition therapy or offer to provide such services.

2. "Nutrition care services" means any part or all of the following services provided within a systematic process:

(a) assessing and evaluating the nutritional needs of individuals and groups and determining resources and constraints in a practice setting, including ordering of nutrition-related laboratory tests to check and track nutrition status;

(b) identifying nutrition problems and establishing priorities, goals, and objectives that meet nutritional needs and are consistent with available resources and constraints;

(c) creating individualized dietary plans and issuing and implementing orders to meet nutritional needs of healthy individuals and individuals in acute and chronic disease states, including ordering therapeutic diets, and monitoring the effectiveness thereof;

(d) determining and providing appropriate nutrition interventions in health and disease, including nutrition counseling on food and prescription drug interactions;

(e) developing, implementing, and managing nutrition care systems; and

(f) evaluating, making changes in, and maintaining appropriate standards of quality in food and nutrition service.

§ 5. Section 8003 of the education law, as amended by chapter 282 of the laws of 1992, is amended to read as follows:

§ 8003. State board for dietetics and nutrition. A state board for dietetics and nutrition shall be appointed by the board of regents, on recommendation of the commissioner, for the purpose of assisting the board of regents and the department on matters of [~~certification~~] licensure, practice, and professional conduct in accordance with section sixty-five hundred eight of this [~~chapter~~] title.

[~~The~~] All members serving terms on the state board for dietetics and nutrition on the effective date of the chapter of the laws of two thousand twenty-four which amended this section shall continue to serve out their respective terms of office until their respective successors are appointed and qualified. Thereafter, the board shall consist of [~~not less than thirteen~~] eleven members, [~~ten~~] six of whom shall be [~~certified dietitians or certified nutritionists, except that the members of the first board need not be certified but shall be persons who are eligible for certification under the provisions of this article prior to their appointment to the board. The first board, with respect to members representing the profession, shall consist of five members registered by a national dietetic association having registration standards acceptable to the department and five members who are members of or registered by a national nutritional association having membership and/or registration standards acceptable to the department. Thereafter, members of the profession appointed to such board shall be certified pursuant to this article~~] licensed dietitian nutritionists and two of whom shall be licensed nutritionists pursuant to this article. To the extent reasonable, the board of regents should insure the state board is broadly representative of various professional interests within the dietetic and nutritional community. [~~Three~~] Two members shall be representatives of the general public and one member shall be a physician licensed under article one hundred thirty-one of this title. Such physician member shall not be a member of or credentialed by a national dietetic or national nutrition association. An executive secretary to the board shall be appointed by the board of regents on the recommendation of the commissioner.

§ 6. Section 8004 of the education law is REPEALED and a new section 8004 is added to read as follows:

§ 8004. Requirements for professional license. 1. Each applicant for a license as a licensed nutritionist shall: be at least twenty-one years of age; submit a completed application upon a form and in such manner as the board prescribes demonstrating the applicant is capable and professionally competent, as determined by the board, to safely engage in the practice of nutrition; submit any fees as required by the board, and submit proof of all of the following:

(a) Education: Have received a master's or doctoral degree in nutrition or a nutrition-related science leading to competence in nutrition, including medical nutrition therapy, in accordance with the commissioner's regulations;

(b) Experience: Have completed a planned, continuous, supervised practice experience satisfactory to the board and in accordance with the commissioner's regulations, provided that such experience shall require demonstration of competence in nutrition, including medical nutrition therapy and involve at least one thousand hours under direct supervision in the following practice areas, with a minimum of two hundred hours in each practice area: conducting nutrition assessment; nutrition intervention; and nutrition monitoring and evaluation. The experience shall be determined by the board to have prepared the applicant to provide nutrition care services for various populations of diverse cultures, genders, and across the life cycle, and to be able to competently formulate actionable medical nutrition therapies and interventions, education, counseling, and ongoing care for the prevention, modulation, and management of a range of acute and chronic medical conditions within the scope of nutrition; and

(c) Examination: Passage of a nutrition examination satisfactory to the board and in accordance with the commissioner's regulations.

2. (a) Each applicant for a license as a licensed dietitian nutritionist shall: be at least twenty-one years of age, submit a completed application upon a form and in such manner as the board prescribes demonstrating the applicant is capable and professionally competent, as determined by the board, to safely engage in the practice of dietetics and nutrition, submit any fees as required by the board, and submit proof of all of the following:

(i) Education: Have received a master's or doctoral degree and satisfactorily completed a program of study accredited by a national dietetics accrediting body and approved by the department in accordance with the commissioner's regulations;

(ii) Experience: Have completed a planned, continuous, supervised practice experience accredited by a national dietetics accrediting body, satisfactory to the board and in accordance with the commissioner's regulations, provided that such experience shall require demonstration of competence in dietetics and nutrition, including medical nutrition therapy, and consist of not less than one thousand hours under the direct supervision. The experience shall be determined by the board to have prepared the applicant to provide nutrition care services for various populations of diverse cultures, genders, and across the life cycle, and to be able to competently formulate actionable medical nutrition therapies and interventions, education, counseling, and ongoing care for the prevention, modulation, and management of a range of acute and chronic medical conditions within the scope of dietetics and nutrition; and

(iii) Examination: Passage of a dietitian examination satisfactory to the board and in accordance with the commissioner's regulations.

(b) An application for a dietitian nutritionist license submitted by individuals, who prior to January first, two thousand twenty-four held registration as a dietitian by a national dietetic commission that has registration standards acceptable to the department, and currently holds such registration, is governed by the provisions of law in effect immediately before the effective date of this section, and the former law is continued in effect for that purpose.

3. All applicants for licensure as a licensed nutritionist or licensed dietitian nutritionist shall pay a fee for an initial license, and a fee for each triennial registration period.

§ 7. Section 8005 of the education law is REPEALED.

§ 8. Section 8006 of the education law is REPEALED and a new section 8006 is added to read as follows:

§ 8006. Special conditions. 1. Any person who is licensed as a certified dietitian or a certified nutritionist on the effective date of the chapter of the laws of two thousand twenty-four which amended this section, shall be licensed as a licensed dietitian nutritionist without meeting any additional requirements so long as they hold registration as a dietitian by a national dietetic commission that has registration standards acceptable to the department or have completed:

(a) a bachelor's or higher degree from a programmatically accredited didactic program approved by the department in accordance with the commissioner's regulations;

(b) a supervised practice experience acceptable to the board and in accordance with the commissioner's regulations, provided that such experience consisted of satisfactory completion of a nationally accredited dietetic and nutrition experience approved by the department of not less than nine hundred hours; and

(c) passage of a dietician examination satisfactory to the board and in accordance with the commissioner's regulations.

2. Any person who is licensed as a certified dietitian or a certified nutritionist and does not meet the requirements provided under subdivision one of this section on the effective date of the chapter of the laws of two thousand twenty-four which amend this section, shall be licensed as a licensed nutritionist without meeting any additional requirements.

3. Any non-exempt person practicing the professions to be licensed pursuant to this article shall apply for a license within one year of the effective date of this section.

§ 9. The education law is amended by adding two new sections 8007 and 8008 to read as follows:

§ 8007. Exemptions. This article shall not be construed to affect or prevent:

1. A licensed physician from practicing such physician's profession as defined under articles one hundred thirty-one and one hundred thirty-one-B of this title; a registered professional nurse or a certified nurse practitioner practicing such nurse or nurse practioner's profession as defined under article one hundred thirty-nine of this title; a licensed physician assistant from such physician assistant's profession as defined under article one hundred thirty-one-B of this title; or qualified members of other professions licensed under this title from performing work incidental to the practice of their professions, except that such persons may not hold themselves out under the title authorized by this article.

2. A student, intern or resident from engaging in the practice of dietetics or nutrition while participating in the education or experience requirements under section eight thousand four of this article, so long as:

(a) The student or trainee who is completing their supervised practice experience required under section eight thousand four of this article practices under this subdivision not more than five years after completing education requirements under section eight thousand four of this article;

(b) The student or trainee practices under this subdivision only while supervised by a qualified supervisor as approved by the department in accordance with the commissioner's regulations;

(c) The student or trainee does not engage in the unrestricted practice of medical nutrition therapy; and

(d) While practicing under this subdivision, the student or trainee uses a title that clearly indicates such student trainee's status as a student, intern, trainee, or supervisee.

3. A dietitian nutritionist or nutritionist who is serving in the armed forces of the United States or any other federal agency from engaging in the practice of medical nutrition therapy, or using government issued titles, provided that such practice or title use is related to service or employment, provided that such practice is related to service or employment.

4. A person who provides individualized nutrition recommendations for the wellness and primary prevention of chronic disease, health coaching, holistic and wellness education, guidance, motivation, behavior change management, services for non-medical weight control, or other nutrition care services so long as all of the following apply:

(a) The services do not constitute medical nutrition therapy;

(b) The person does not represent such person using titles authorized under this article; and

(c) The person does not hold such person out as licensed or qualified to engage in the practice of medical nutrition therapy.

5. A person who disseminates non-individualized, written, general nutrition information in connection with the marketing and distribution of dietary supplements, food, herbs, or food materials, including explanations of their federally regulated label claims, any known drug-nutrient interactions, their role in various diets, or suggestions as how to best use and combine them so long as such information does not constitute medical nutrition therapy and the person does not use titles authorized under this article or hold such person out as qualified to engage in the practice of medical nutrition therapy.

6. A person who provides medical weight control for persons with obesity as part of any of the following:

(a) An instructional program that has been approved in writing by one of the following:

(i) a dietitian nutritionist or nutritionist licensed in this state; or

(ii) a health care practitioner licensed or certified in this state whose scope of practice includes medical nutrition therapy; or

(b) A plan of care that is overseen by a health professional licensed in this state whose scope of practice otherwise authorizes the health professional to provide and delegate medical nutrition therapy, so long as the medical weight control services are not discretionary and do not require the exercise of professional judgment.

7. An individual employed by a WIC program as a "competent professional authority" as defined in 7 C.F.R § 246.2 (1895) from providing nutrition services within such WIC program. For the purpose of this subdivision the term "WIC program" shall mean a program authorized by 42 U.S.C. § 1786; and

8. A person who does not utilize titles authorized under this article and assists the provision of medical nutrition therapy if the person performs only support activities that are not discretionary and that do not require the exercise of professional judgment for their performance, and the person is directly supervised by a nutritionist or dietitian nutritionist licensed under this title.

§ 8008. Limited permit. 1. The department may issue a limited permit to practice as a provisionally licensed nutritionist or provisionally licensed dietitian nutritionist to an applicant for licensure who has met the education and experience requirements for a licensed nutritionist or licensed dietitian nutritionist provided under section eight thousand four of this article.

2. The duration of a limited permit shall not exceed one year from the time of its first issue and the department may for good cause renew a limited permit for an additional one year provided that no individual shall practice under any limited permit for more than a total of two years.

3. All practice under a limited permit shall be under the supervision of individuals licensed pursuant to this article.

4. The fee for a limited permit or the renewal thereof shall be seventy-five dollars.

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

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

§ 11. Section 6505-b of the education law, as amended by chapter 10 of the laws of 2018, is amended to read as follows:

§ 6505-b. Course work or training in infection control practices. Every dentist, registered nurse, licensed practical nurse, podiatrist, optometrist [~~and~~], dental hygienist, licensed nutritionist, and licensed dietitian nutritionist practicing in the state shall, on or before July first, nineteen hundred ninety-four and every four years thereafter, complete course work or training appropriate to the professional's practice approved by the department regarding infection control, which shall include sepsis, and barrier precautions, including engineering and work practice controls, in accordance with regulatory standards promulgated by the department, in consultation with the department of health, which shall be consistent, as far as appropriate, with such standards adopted by the department of health pursuant to section two hundred thirty-nine of the public health law to prevent the transmission of HIV, HBV, HCV and infections that could lead to sepsis in the course of professional practice. Each such professional shall document to the department at the time of registration commencing with the first registration after July first, nineteen hundred ninety-four that the professional has completed course work or training in accordance with this section, provided, however that a professional subject to the provisions of paragraph (f) of subdivision one of section twenty-eight hundred five-k of the public health law shall not be required to so document. The department shall provide an exemption from this requirement to anyone who requests such

an exemption and who (i) clearly demonstrates to the department's satisfaction that there would be no need for [~~him or her~~] **such dentist, registered nurse, licensed practical nurse, podiatrist, optometrist, dental hygienist, licensed nutritionist, and licensed dietitian nutritionist** to complete such course work or training because of the nature of [~~his or her~~] **such dentist, registered nurse, licensed practical nurse, podiatrist, optometrist, dental hygienist, licensed nutritionist, and licensed dietitian nutritionist** practice or (ii) that [~~he or she~~] **such dentist, registered nurse, licensed practical nurse, podiatrist, optometrist, dental hygienist, licensed nutritionist, and licensed dietitian nutritionist** has completed course work or training deemed by the department to be equivalent to the course work or training approved by the department pursuant to this section. The department shall consult with organizations representative of professions, institutions and those with expertise in infection control and HIV, HBV, HCV and infections that could lead to sepsis with respect to the regulatory standards promulgated pursuant to this section.

§ 11-a. Section 6505-b of the education law, as amended by chapter 733 of the laws of 2023, is amended to read as follows:

§ 6505-b. Course work or training in infection control practices. Every dentist, registered nurse, licensed practical nurse, podiatrist, optometrist, athletic trainer, [~~and~~] dental hygienist**, and licensed nutritionist, and licensed dietitian nutritionist** practicing in the state shall, on or before July first, nineteen hundred ninety-four and every four years thereafter, complete course work or training appropriate to the professional's practice approved by the department regarding infection control, which shall include sepsis, and barrier precautions, including engineering and work practice controls, in accordance with regulatory standards promulgated by the department, in consultation with the department of health, which shall be consistent, as far as appropriate, with such standards adopted by the department of health pursuant to section two hundred thirty-nine of the public health law to prevent the transmission of HIV, HBV, HCV and infections that could lead to sepsis in the course of professional practice. Each such professional shall document to the department at the time of registration commencing with the first registration after July first, nineteen hundred ninety-four that the professional has completed course work or training in accordance with this section, provided, however that a professional subject to the provisions of paragraph (f) of subdivision one of section twenty-eight hundred five-k of the public health law shall not be required to so document. The department shall provide an exemption from this requirement to anyone who requests such an exemption and who (i) clearly demonstrates to the department's satisfaction that there would be no need for [~~him or her~~] **such dentist, registered nurse, licensed practical nurse, podiatrist, optometrist, dental hygienist, licensed nutritionist, and licensed dietitian nutritionist** to complete such course work or training because of the nature of [~~his or her~~] **such dentist, registered nurse, licensed practical nurse, podiatrist, optometrist, dental hygienist, licensed nutritionist, and licensed dietitian nutritionist** practice or (ii) that [~~he or she~~] **such dentist, registered nurse, licensed practical nurse, podiatrist, optometrist, dental hygienist, licensed nutritionist, and licensed dietitian nutritionist** has completed course work or training deemed by the department to be equivalent to the course work or training approved by the department pursuant to this section. The department shall consult with organizations representative of professions, institutions and those with expertise in infection control

and HIV, HBV, HCV and infections that could lead to sepsis with respect to the regulatory standards promulgated pursuant to this section.

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

a. Establish standards for preprofessional and professional education, experience and licensing examinations as required to implement the article for each profession. Notwithstanding any other provision of law, the commissioner shall establish standards requiring that all persons applying, on or after January first, nineteen hundred ninety-one, initially, or for the renewal of, a license, registration or limited permit to be a physician, chiropractor, dentist, registered nurse, podiatrist, optometrist, psychiatrist, psychologist, licensed master social worker, licensed clinical social worker, licensed creative arts therapist, licensed marriage and family therapist, licensed mental health counselor, licensed psychoanalyst, dental hygienist, licensed behavior analyst, [~~or~~] certified behavior analyst assistant**, licensed nutritionist or licensed dietitian nutritionist** shall, in addition to all the other licensure, certification or permit requirements, have completed two hours of coursework or training regarding the identification and reporting of child abuse and maltreatment. The coursework or training shall be obtained from an institution or provider which has been approved by the department to provide such coursework or training. The coursework or training shall include information regarding the physical and behavioral indicators of child abuse and maltreatment and the statutory reporting requirements set out in sections four hundred thirteen through four hundred twenty of the social services law, including but not limited to, when and how a report must be made, what other actions the reporter is mandated or authorized to take, the legal protections afforded reporters, and the consequences for failing to report. Such coursework or training may also include information regarding the physical and behavioral indicators of the abuse of individuals with developmental disabilities and voluntary reporting of abused or neglected adults to the office for people with developmental disabilities or the local adult protective services unit. Each applicant shall provide the department with documentation showing that [~~he or she~~] **such applicant** has completed the required training. The department shall provide an exemption from the child abuse and maltreatment training requirements to any applicant who requests such an exemption and who shows, to the department's satisfaction, that there would be no need because of the nature of [~~his or her~~] **such applicant's** practice for [~~him or her~~] **such applicant** to complete such training;

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

a. Establish standards for preprofessional and professional education, experience and licensing examinations as required to implement the article for each profession. Notwithstanding any other provision of law, the commissioner shall establish standards requiring that all persons applying, on or after January first, nineteen hundred ninety-one, initially, or for the renewal of, a license, registration or limited permit to be a physician, chiropractor, dentist, registered nurse, podiatrist, optometrist, psychiatrist, psychologist, licensed master social worker, licensed clinical social worker, licensed creative arts therapist, licensed marriage and family therapist, licensed mental health counselor, licensed psychoanalyst, dental hygienist, licensed behavior

analyst, certified behavior analyst assistant, **licensed nutritionist, licensed dietitian nutritionist,** or athletic trainer shall, in addition to all the other licensure, certification or permit requirements, have completed two hours of coursework or training regarding the identification and reporting of child abuse and maltreatment. The coursework or training shall be obtained from an institution or provider which has been approved by the department to provide such coursework or training. The coursework or training shall include information regarding the physical and behavioral indicators of child abuse and maltreatment and the statutory reporting requirements set out in sections four hundred thirteen through four hundred twenty of the social services law, including but not limited to, when and how a report must be made, what other actions the reporter is mandated or authorized to take, the legal protections afforded reporters, and the consequences for failing to report. Such coursework or training may also include information regarding the physical and behavioral indicators of the abuse of individuals with developmental disabilities and voluntary reporting of abused or neglected adults to the office for people with developmental disabilities or the local adult protective services unit. Each applicant shall provide the department with documentation showing that [~~he or she~~] **such applicant** has completed the required training. The department shall provide an exemption from the child abuse and maltreatment training requirements to any applicant who requests such an exemption and who shows, to the department's satisfaction, that there would be no need because of the nature of [~~his or her~~] **such applicant's** practice for [~~him or her~~] **such applicant** to complete such training;

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

(a) The following persons and officials are required to report or cause a report to be made in accordance with this title when they have reasonable cause to suspect that a child coming before them in their professional or official capacity is an abused or maltreated child, or when they have reasonable cause to suspect that a child is an abused or maltreated child where the parent, guardian, custodian or other person legally responsible for such child comes before them in their professional or official capacity and states from personal knowledge facts, conditions or circumstances which, if correct, would render the child an abused or maltreated child: any physician; registered physician assistant; surgeon; medical examiner; coroner; dentist; dental hygienist; osteopath; optometrist; chiropractor; podiatrist; resident; intern; psychologist; registered nurse; social worker; emergency medical technician; licensed creative arts therapist; licensed marriage and family therapist; licensed mental health counselor; licensed psychoanalyst; licensed behavior analyst; certified behavior analyst assistant; **licensed nutritionist; licensed dietitian nutritionist;** hospital personnel engaged in the admission, examination, care or treatment of persons; a Christian Science practitioner; school official, which includes but is not limited to school teacher, school guidance counselor, school psychologist, school social worker, school nurse, school administrator or other school personnel required to hold a teaching or administrative license or certificate; full or part-time compensated school employee required to hold a temporary coaching license or professional coaching certificate; social services worker; employee of a publicly-funded emergency shelter for families with children; director of a children's overnight camp, summer day camp or traveling summer day camp, as such camps

are defined in section thirteen hundred ninety-two of the public health law; day care center worker; school-age child care worker; provider of family or group family day care; employee or volunteer in a residential care facility for children that is licensed, certified or operated by the office of children and family services; or any other child care or foster care worker; mental health professional; substance abuse counselor; alcoholism counselor; all persons credentialed by the office of alcoholism and substance abuse services; employees, who are expected to have regular and substantial contact with children, of a health home or health home care management agency contracting with a health home as designated by the department of health and authorized under section three hundred sixty-five-l of this chapter or such employees who provide home and community based services under a demonstration program pursuant to section eleven hundred fifteen of the federal social security act who are expected to have regular and substantial contact with children; peace officer; police officer; district attorney or assistant district attorney; investigator employed in the office of a district attorney; or other law enforcement official.

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

(a) The following persons and officials are required to report or cause a report to be made in accordance with this title when they have reasonable cause to suspect that a child coming before them in their professional or official capacity is an abused or maltreated child, or when they have reasonable cause to suspect that a child is an abused or maltreated child where the parent, guardian, custodian or other person legally responsible for such child comes before them in their professional or official capacity and states from personal knowledge facts, conditions or circumstances which, if correct, would render the child an abused or maltreated child: any physician; registered physician assistant; surgeon; medical examiner; coroner; dentist; dental hygienist; osteopath; optometrist; chiropractor; podiatrist; resident; intern; athletic trainer; psychologist; registered nurse; social worker; emergency medical technician; licensed creative arts therapist; licensed marriage and family therapist; licensed mental health counselor; licensed psychoanalyst; licensed behavior analyst; certified behavior analyst assistant; **licensed nutritionist; licensed dietitian nutritionist;** hospital personnel engaged in the admission, examination, care or treatment of persons; a Christian Science practitioner; school official, which includes but is not limited to school teacher, school guidance counselor, school psychologist, school social worker, school nurse, school administrator or other school personnel required to hold a teaching or administrative license or certificate; full or part-time compensated school employee required to hold a temporary coaching license or professional coaching certificate; social services worker; employee of a publicly-funded emergency shelter for families with children; director of a children's overnight camp, summer day camp or traveling summer day camp, as such camps are defined in section thirteen hundred ninety-two of the public health law; day care center worker; school-age child care worker; provider of family or group family day care; employee or volunteer in a residential care facility for children that is licensed, certified or operated by the office of children and family services; or any other child care or foster care worker; mental health professional; substance abuse counselor; alcoholism counselor; all persons credentialed by the office of [~~alcoholism and substance abuse services~~]

addiction services and supports; employees, who are expected to have regular and substantial contact with children, of a health home or health home care management agency contracting with a health home as designated by the department of health and authorized under section three hundred sixty-five-l of this chapter or such employees who provide home and community based services under a demonstration program pursuant to section eleven hundred fifteen of the federal social security act who are expected to have regular and substantial contact with children; peace officer; police officer; district attorney or assistant district attorney; investigator employed in the office of a district attorney; or other law enforcement official.

§ 14. Subdivision 5-a of section 488 of the social services law, as amended by chapter 205 of the laws of 2014, is amended to read as follows:

5-a. "Human services professional" shall mean any: physician; registered physician assistant; surgeon; medical examiner; coroner; dentist; dental hygienist; osteopath; optometrist; chiropractor; podiatrist; resident; intern; psychologist; registered nurse; licensed practical nurse; nurse practitioner; social worker; emergency medical technician; licensed creative arts therapist; licensed marriage and family therapist; licensed mental health counselor; licensed psychoanalyst; licensed behavior analyst; certified behavior analyst assistant; licensed speech/language pathologist or audiologist; licensed physical therapist; licensed occupational therapist; **licensed nutritionist; licensed dietitian nutritionist;** hospital personnel engaged in the admission, examination, care or treatment of persons; Christian Science practitioner; school official, which includes but is not limited to school teacher, school guidance counselor, school psychologist, school social worker, school nurse, school administrator or other school personnel required to hold a teaching or administrative license or certificate; full or part-time compensated school employee required to hold a temporary coaching license or professional coaching certificate; social services worker; any other child care or foster care worker; mental health professional; person credentialed by the office of alcoholism and substance abuse services; peace officer; police officer; district attorney or assistant district attorney; investigator employed in the office of a district attorney; or other law enforcement official.

§ 15. This act shall take effect eighteen months after it shall have become a law; provided, however, that the provisions of sections eleven-a, twelve-a and thirteen-a of this act shall take effect on the same date and in the same manner as chapter 733 of the laws of 2023 takes effect. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.