

# STATE OF NEW YORK

3036--A

Cal. No. 1330

2023-2024 Regular Sessions

## IN SENATE

January 26, 2023

Introduced by Sens. BROUK, ADDABBO, BAILEY, HELMING, HOYLMAN-SIGAL, JACKSON, MAY, ORTT, PALUMBO, SCARCELLA-SPANTON, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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  
18 adjustment, inequitable and historically marginalized community condi-  
19 tions, school climate, and home/school/community collaboration. The

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

LBD05604-04-4

1 legislature therefore declares that by addressing the needs of children  
2 through prevention services, assessments and/or counseling, school  
3 psychology professionals can contribute to their future success. It is  
4 important that school psychology professionals are held to specific  
5 standards and requirements that will ensure competent services.

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

8 ARTICLE 153-A

9 LICENSED SCHOOL PSYCHOLOGY PRACTITIONER

10 Section 7620. Introduction.

11 7621. Practice of licensed school psychology practitioner and  
12 use of the title "licensed school psychology practition-  
13 er".

14 7622. Definition of the practice of a licensed school psychology  
15 practitioner.

16 7623. Requirements for a professional license.

17 7624. Boundaries of professional competency.

18 7625. Limited permits.

19 7626. Exemptions.

20 7627. Special provisions.

21 § 7620. Introduction. This article applies to the profession and prac-  
22 tice of a licensed school psychology practitioner and to the use of the  
23 title "licensed school psychology practitioner". The general provisions  
24 for all professions contained in article one hundred thirty of this  
25 title apply to this article.

26 § 7621. Practice of licensed school psychology practitioner and use of  
27 the title "licensed school psychology practitioner". Only a person  
28 licensed or exempt under this article shall practice as a licensed  
29 school psychology practitioner or use the title "licensed school  
30 psychology practitioner".

31 § 7622. Definition of the practice of a licensed school psychology  
32 practitioner. The practice of a licensed school psychology practitioner  
33 is:

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

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

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

52 4. the development of programming, including designing, implementing  
53 or evaluating educationally and psychologically sound learning environ-  
54 ments and the facilitation of psycho-educational development of individ-  
55 uals, families or groups.

1 § 7623. Requirements for a professional license. To qualify for a  
2 license as a licensed school psychology practitioner, an applicant shall  
3 fulfill the following requirements:

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

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

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

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

17 (iii) assessment and appraisal of learners in home and school  
18 contexts;

19 (iv) consultation and collaboration in family, school and community  
20 systems;

21 (v) effective instruction and development of cognitive and academic  
22 skills;

23 (vi) prevention and treatment of behavioral and emotional disorders  
24 and deficits;

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

26 (viii) research and program evaluation;

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

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

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

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

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

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

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

5 § 7624. Boundaries of professional competency. 1. It shall be deemed  
6 practicing outside the boundaries of a person's professional competence  
7 for a person licensed pursuant to this article, in the case of treatment  
8 of any serious mental illness, to provide any mental health services  
9 for such illness on a continuous and sustained basis without a medical  
10 evaluation of the illness by, and consultation with, a physician regard-  
11 ing such illness. Such medical evaluation and consultation shall be to  
12 determine and advise whether any medical care is indicated for such  
13 illness. For purposes of this section, "serious mental illness" means  
14 schizophrenia, schizoaffective disorder, bipolar disorder, major  
15 depressive disorder, panic disorder and obsessive-compulsive disorder.  
16 Nothing in this section shall be construed to prevent, limit or impair  
17 consultation with any other health or mental health professional. Noth-  
18 ing herein contained shall limit, modify, restrict or otherwise affect  
19 the definition of the practice of a licensed school psychology practi-  
20 tioner as provided in section seventy-six hundred twenty-two of this  
21 article.

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

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

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

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

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

39 § 7625. Limited permits. 1. The department may issue a limited permit  
40 to an applicant whose qualifications have been approved for admission to  
41 the examination in accordance with regulations promulgated therefor.

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

44 3. The fee for each limited permit and for each renewal shall be  
45 seventy dollars.

46 § 7626. Exemptions. Nothing contained in this article shall be  
47 construed to:

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

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

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

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

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

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

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

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

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

46 § 7627. Special provisions. 1. Any nonexempt person practicing the  
47 profession of licensed school psychology practitioner shall apply for a  
48 license of such profession within one year of the effective date of this  
49 section.

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

54 (b) If such person meets the requirements for a license established  
55 within this article, except for examination, and has been certified or  
56 registered by a national certifying or registering body having certifi-

1 ication or registration standards acceptable to the commissioner, the  
2 department shall license without examination.

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

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

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

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

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

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

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

1 Each applicant shall provide the department with documentation showing  
2 that [~~he or she~~] such applicant has completed the required training. The  
3 department shall provide an exemption from the child abuse and maltreat-  
4 ment training requirements to any applicant who requests such an  
5 exemption and who shows, to the department's satisfaction, that there  
6 would be no need because of the nature of [~~his or her~~] such applicant's  
7 practice for [~~him or her~~] such applicant to complete such training;

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

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

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

50 § 7602. State board for psychology. A state board for psychology  
51 shall be appointed by the board of regents on recommendation of the  
52 commissioner for the purpose of assisting the board of regents and the  
53 department on matters of professional licensing and professional conduct  
54 in accordance with section sixty-five hundred eight of this title. The  
55 board shall be composed of not less than eleven [~~psychologists licensed~~  
56 ~~in this state~~] members, seven of whom shall be licensed psychologists,

1 two of whom shall be licensed school psychology practitioners and two of  
2 whom shall be public members. An executive secretary to the board shall  
3 be appointed by the board of regents upon the recommendation of the  
4 commissioner and shall be a psychologist, licensed in this state.

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

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

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

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

46 § 8. Subparagraph (i) of paragraph a of subdivision 1 of section  
47 6503-a of the education law, as amended by chapter 554 of the laws of  
48 2013, is amended to read as follows:

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

52 § 9. Severability. If any clause, sentence, paragraph, section or part  
53 of this act shall be adjudged by any court of competent jurisdiction to  
54 be invalid, the judgment shall not affect, impair, or invalidate the  
55 remainder thereof, but shall be confined in its operation to the clause,

1 sentence, paragraph, section or part thereof directly involved in the  
2 controversy in which the judgment shall have been rendered.

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

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

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

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