

# 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:

1 Section 1. The education law is amended by adding a new section 6529-a  
2 to read as follows:

3 § 6529-a. Licensed to practice in another state or territory.  
4 Notwithstanding any inconsistent provision of law, any person who is  
5 licensed to practice as a physician in another state or territory, who  
6 is in good standing in such state or territory may provide professional  
7 services within this state to persons seeking reproductive health  
8 services without first being licensed pursuant to the provisions of this  
9 article. Such services shall be provided only after such person applies  
10 for a license pursuant to the provisions of this article, as may be  
11 applicable, and demonstrates their intent to provide reproductive health  
12 services by providing a letter declaring the person's intention to  
13 provide such services and a letter from an employer or health care enti-  
14 ty indicating that the person has accepted employment or entered into a  
15 contract to provide reproductive health services, the person's start  
16 date and the location where reproductive health services will be  
17 provided. Such person may continue providing services pursuant to this  
18 section until such time that their license or certification to practice  
19 is approved or denied. Provided however, that such person shall comply  
20 with all applicable licensure and regulatory requirements and shall  
21 practice within the scope of their license. Provided further, this  
22 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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1 determined to have substandard or nonconforming professional licensing  
2 requirements, as determined by the commissioner.

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

5 § 6546-a. Licensed to practice in another state or territory.  
6 Notwithstanding any inconsistent provision of law, any person who is  
7 licensed to practice as a physician assistant in another state or terri-  
8 tory, who is in good standing in such state or territory may provide  
9 professional services within this state to persons seeking reproductive  
10 health services without first being licensed pursuant to the provisions  
11 of this article. Such services shall be provided only after such person  
12 applies for a license pursuant to the provisions of this article, as may  
13 be applicable, and demonstrates their intent to provide reproductive  
14 health services by providing a letter declaring the person's intention  
15 to provide such services and a letter from an employer or health care  
16 entity indicating that the person has accepted employment or entered  
17 into a contract to provide reproductive health services, the person's  
18 start date and the location where reproductive health services will be  
19 provided. Such person may continue providing services pursuant to this  
20 section until such time that their license or certification to practice  
21 is approved or denied. Provided however, that such person shall comply  
22 with all applicable licensure and regulatory requirements and shall  
23 practice within the scope of their license. Provided further, this  
24 section shall not apply to persons licensed in a state or territory  
25 determined to have substandard or nonconforming professional licensing  
26 requirements, as determined by the commissioner.

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

29 § 6907-b. Licensed to practice in another state or territory.  
30 Notwithstanding any inconsistent provision of law, any person who is  
31 licensed to practice as a nurse practitioner or registered professional  
32 nurse in another state or territory, who is in good standing in such  
33 state or territory may provide professional services within this state  
34 to persons seeking reproductive health services without first being  
35 licensed pursuant to the provisions of this article. Such services shall  
36 be provided only after such person applies for a license pursuant to the  
37 provisions of this article, as may be applicable, and demonstrates their  
38 intent to provide reproductive health services by providing a letter  
39 declaring the person's intention to provide such services and a letter  
40 from an employer or health care entity indicating that the person has  
41 accepted employment or entered into a contract to provide reproductive  
42 health services, the person's start date and the location where repro-  
43 ductive health services will be provided. Such person may continue  
44 providing services pursuant to this section until such time that their  
45 license or certification to practice is approved or denied. Provided  
46 however, that such person shall comply with all applicable licensure and  
47 regulatory requirements and shall practice within the scope of their  
48 license. Provided further, this section shall not apply to persons  
49 licensed in a state or territory determined to have substandard or  
50 nonconforming professional licensing requirements, as determined by the  
51 commissioner.

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

54 § 6958-a. Licensed to practice in another state or territory.  
55 Notwithstanding any inconsistent provision of law, any person who is  
56 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.