

# STATE OF NEW YORK

6166--A

2023-2024 Regular Sessions

## IN SENATE

March 31, 2023

Introduced by Sen. ASHBY -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- recommended to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law and the state finance law, in relation to establishing the New York state preceptor stipend program

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "New York state preceptor stipend program".

3 § 2. Legislative intent. New York state health care is in crisis from  
4 staffing shortages that are exacerbated by staff burnout. Quality  
5 preceptorships are an essential component of clinical professional  
6 development, and also a powerful tool for recruitment and retention in  
7 the healthcare industry. By providing supervision during clinical prac-  
8 tice and facilitating the application of theory to practice for students  
9 and staff learners, preceptors can help promote self-awareness and crit-  
10 ical thinking for students. That confidence and on-the-job training will  
11 foster a healthy mentorship and encourage future health care profes-  
12 sionals to pursue their health career in New York state. Preceptor-  
13 ships, however, are a time-consuming commitment and health care workers  
14 in New York state are hard-pressed to add more to their plates. A  
15 stipend program would incentivize health care professionals to be  
16 preceptors and take on the responsibility of training future health  
17 professionals.

18 § 3. The education law is amended by adding a new section 6505-f to  
19 read as follows:

20 § 6505-f. New York state preceptor stipend program. 1. Program estab-  
21 lished. The chief administrative officer of the office of the  
22 professions shall create a "New York state preceptor stipend program"

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

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1 for preceptor clinicians. Under such program, a stipend shall be issued  
2 out of funds made available for such program pursuant to appropriation  
3 from the legislature from the office of the professions account under  
4 section ninety-seven-nnn of the state finance law, and shall be released  
5 in check form to qualified preceptor clinicians. The chief administra-  
6 tive officer of the office of the professions' responsibilities shall  
7 include, but not be limited to:

8 (a) Promulgating any necessary rules and regulations for the applica-  
9 tion and distribution of funds;

10 (b) Creating a process to accept and subsequently register preceptor  
11 clinicians into the New York state preceptor stipend program, and a  
12 process to deny unqualified preceptor clinicians;

13 (c) Creating an application process whereby certain criteria and qual-  
14 ifications shall be met by a preceptor clinician accepted to the  
15 program; and

16 (d) Creating a revocation process for qualified clinical preceptor-  
17 ships that are to be terminated.

18 2. Stipend. A resident of New York state who registers with and is  
19 accepted to the program and provides preceptor instruction as part of a  
20 clinical preceptorship shall be issued a stipend upon admittance into  
21 the program. Such stipend shall equal five thousand dollars.

22 3. Annual review. After the program's first full year and each year  
23 thereafter during the month of December, there shall be an annual review  
24 conducted by the office of the professions which shall provide, but not  
25 be limited to, the following:

26 (a) An audit and record of all preceptor clinicians who applied and  
27 been either denied or accepted under the program; and

28 (b) A record and audit of all stipends distributed under the program.

29 4. Definitions. As used in this section, the following terms shall  
30 have the following meanings:

31 (a) "Preceptor clinician" means any of the following who, without the  
32 provision of any form of compensation therefor, provides a clinical  
33 preceptorship or preceptorships including, but not limited to, both  
34 community and in-patient facilities, and certified or licensed providers  
35 under article thirty-six of the public health law, during the taxable  
36 year:

37 (i) a physician licensed pursuant to article one hundred thirty-one of  
38 this title;

39 (ii) a physician assistant licensed pursuant to article one hundred  
40 thirty-one-B of this title;

41 (iii) a specialist assistant registered pursuant to article one  
42 hundred thirty-one-C of this title;

43 (iv) a certified registered nurse anesthetist certified by the depart-  
44 ment;

45 (v) a registered professional nurse licensed pursuant to section  
46 sixty-nine hundred five of this title;

47 (vi) a nurse practitioner certified pursuant to section sixty-nine  
48 hundred ten of this title;

49 (vii) a clinical nurse specialist certified pursuant to section  
50 sixty-nine hundred eleven of this title; or

51 (viii) a midwife licensed pursuant to article one hundred forty of  
52 this title.

53 (b) "Clinical preceptorship" means a preceptorship for a student  
54 enrolled in a New York state based educational program approved pursuant  
55 to this title to become a physician, physician assistant, specialist  
56 assistant, certified registered nurse anesthetist, registered profes-

1 sional nurse, nurse practitioner, clinical nurse specialist or midwife,  
2 and which preceptorship provides preceptor instruction in family medi-  
3 cine, internal medicine, pediatrics, obstetrics and gynecology, emergen-  
4 cy medicine, psychiatry, home healthcare, general surgery, or gerontolo-  
5 gy under the supervision of a preceptor clinician.

6 (c) "Program" means the New York state preceptor stipend program  
7 created pursuant to subdivision one of this section.

8 (d) "Qualified preceptor clinician" means a preceptor clinician who  
9 has qualified for the New York state preceptor stipend program pursuant  
10 to the application process created pursuant to paragraph (b) of subdivi-  
11 sion one of this section, and who is entitled to receive a stipend  
12 pursuant to subdivision two of this section.

13 § 4. Subdivision 3 of section 97-nnn of the state finance law, as  
14 added by section 90 of part A of chapter 436 of the laws of 1997, is  
15 amended to read as follows:

16 3. Moneys of this account, following appropriation by the legislature,  
17 shall be available to the state education department for services and  
18 expenses of the office of the professions, including payment of stipends  
19 under the New York state preceptor stipend program established pursuant  
20 to section sixty-five hundred five-f of the education law, provided that  
21 the first year payments under such stipend program shall not exceed five  
22 million dollars.

23 § 5. This act shall take effect on the one hundred eightieth day after  
24 it shall have become a law. Effective immediately, the addition, amend-  
25 ment and/or repeal of any rule or regulation necessary for the implemen-  
26 tation of this act on its effective date are authorized to be made and  
27 completed on or before such effective date.