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IN SENATE

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Introduced by Sen. STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading -- recommitted 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 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to 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 licensure of dietitians 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:

1 Section 1. Section 8000 of the education law, as added by chapter 635
2 of the laws of 1991, is amended to read as follows:
3 § 8000. Introduction. This article applies to the [~~use of the titles~~
4 ~~"certified dietitian" and "certified nutritionist"~~] licensing of dieti-
5 tians and nutritionists. A "licensed dietitian" shall mean a person duly
6 licensed under this article as meeting the requirements of subdivision
7 two of section eight thousand four of this article to practice dietetics
8 and nutrition, which includes the practice of medical nutrition therapy.
9 A "licensed nutritionist" shall mean a person duly licensed under this
10 article as meeting the requirements of subdivision one of section eight
11 thousand four of this article to practice nutrition, which includes the

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

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1 practice of medical nutrition therapy. All persons licensed under this
2 article shall exercise professional judgment within the scope of their
3 education, training, and experience, and shall make referrals to other
4 qualified health care providers when necessary to ensure safe and
5 comprehensive patient care. The general provision for all professions
6 contained in article one hundred thirty of this title shall apply to
7 this article.

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

10 § 8001. [~~Definitions~~] Dietetic and nutrition practice. 1. [~~Dietetics~~
11 ~~and nutrition are herein each defined as the integration and applica-~~
12 ~~tion of principles derived from the sciences of nutrition, biochemistry,~~
13 ~~physiology, food management and behavioral and social sciences to~~
14 ~~achieve and maintain people's health.~~

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

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

26 ~~(a) Assessing nutrition needs and food patterns;~~
27 ~~(b) Planning for and directing the provision of food appropriate for~~
28 ~~physical and nutrition needs; and~~

29 ~~(c) Providing nutrition counseling.]~~ The practice of dietetics encom-
30 passes the practice of nutrition and includes providing medical nutri-
31 tion therapy and advanced medical nutrition therapy delivered in-person
32 or via telehealth, to prevent, manage, or treat chronic and acute
33 diseases or medical conditions and promote wellness in inpatient and
34 outpatient settings.

35 2. The practice of nutrition involves the provision of nutrition care
36 services in-person or via telehealth, including medical nutrition thera-
37 py, limited to the prevention, management, or treatment of chronic
38 diseases or medical conditions in outpatient settings and treatment of
39 chronic diseases or medical conditions in outpatient settings and the
40 promotion of wellness. The practice of nutrition shall include the
41 ordering of oral therapeutic diets; the ordering of medical laboratory
42 tests related to nutritional therapeutic treatments; and the provision
43 of recommendations on vitamin, mineral, and other dietary supplements.

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

46 § 8002. Use of titles. [~~Only a~~] 1. No person [~~certified under this~~
47 ~~article shall be authorized to use the title "certified dietitian",~~
48 ~~"certified dietician", or "certified nutritionist"~~] may designate or
49 hold such person out as a dietitian or use or assume the title "dieti-
50 tian", "licensed dietitian", "dietician", or any other title indicating
51 that the person is a licensed dietitian or append to or use in conjunc-
52 tion with that person's name the letters "LD" unless such person is
53 licensed as a dietitian under this article.

54 2. No person may use or assume any title indicating that the person
55 is a licensed nutritionist or append to or use in conjunction with

1 that person's name the letters "LN" unless the person is licensed as a
2 nutritionist under this article.

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

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

8 § 8002-a. Definitions. For the purposes of this article, the following
9 terms shall have the following meanings:

10 1. "Advanced medical nutrition therapy" means services provided by
11 licensed dietitians or qualified providers exempted under this article
12 and includes, but is not limited to, the development and ordering of
13 therapeutic diets via enteral and parenteral routes; conducting swallow
14 screens; placing nasogastric or nasoenteric feeding tubes; implementing
15 prescription drug dose adjustments under medical staff or prescriber-ap-
16 proved disease treatment protocols; ordering or discontinuing use of
17 vitamin, mineral, and other dietary supplements; and developing and
18 managing food service operations for the management or treatment of
19 diseases or medical conditions.

20 2. "Medical nutrition therapy" means the provision of nutrition
21 assessment, nutrition diagnosis, nutrition intervention, or nutrition
22 monitoring and evaluation for the purpose of management or treatment of
23 a disease or medical condition. Only a person licensed or otherwise
24 exempt under this article shall practice medical nutrition therapy or
25 offer to provide such services.

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

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

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

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

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

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

43 (f) evaluating, making changes in, and maintaining appropriate stand-
44 ards of quality in food and nutrition service.

45 4. "Nutrition diagnosis" in the context of the practice of dietetics
46 or the practice of nutrition means identifying and labeling nutrition
47 problems managed and treated by a licensed dietitian or licensed nutri-
48 tionist. Such diagnostic privilege is distinct from a medical diagno-
49 sis.

50 5. "Therapeutic diet" means a diet intervention prescribed by a physi-
51 cian or other authorized provider, including a licensed dietitian or,
52 for oral diets only, a licensed nutritionist. A therapeutic diet
53 provides food, fluids, or nutrients by oral, enteral, or parenteral
54 routes and is used in the treatment of a disease or clinical condition
55 to modify, eliminate, decrease, or increase specific macro- or micronu-

1 trients, or to provide mechanically altered food when medically indi-
2 cated.

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

5 § 8003. State board for dietetics and nutrition. A state board for
6 dietetics and nutrition shall be appointed by the board of regents, on
7 recommendation of the commissioner, for the purpose of assisting the
8 board of regents and the department on matters of [~~certification~~] licen-
9 sure, practice, and professional conduct in accordance with section
10 sixty-five hundred eight of this [~~chapter~~] title.

11 [~~The~~] All members serving terms on the state board for dietetics and
12 nutrition on the effective date of the chapter of the laws of two thou-
13 sand twenty-six which amended this section shall continue to serve out
14 their respective terms of office until their respective successors are
15 appointed and qualified. Thereafter, the board shall consist of [~~not~~
16 ~~less than thirteen~~] eleven members, [~~ten~~] of whom shall [~~be certified~~
17 ~~dietitians or certified nutritionists, except that the members of the~~
18 ~~first board need not be certified but shall be persons who are eligible~~
19 ~~for certification under the provisions of this article prior to their~~
20 ~~appointment to the board. The first board, with respect to members~~
21 ~~representing the profession, shall consist of five members registered by~~
22 ~~a national dietetic association having registration standards acceptable~~
23 ~~to the department and five members who are members of or registered by a~~
24 ~~national nutritional association having membership and/or registration~~
25 ~~standards acceptable to the department. Thereafter, members of the~~
26 ~~profession appointed to such board shall be certified pursuant to this~~
27 ~~article] include four licensed dietitians and four licensed nutrition-
28 ists or licensed dietitians pursuant to this article; provided, however,
29 that no more than six members of the board shall be licensed dietitians.~~

30 To the extent reasonable, the board of regents should insure the state
31 board is broadly representative of various professional interests within
32 the dietetic and nutritional community. [~~Three~~] Two members shall be
33 representatives of the general public and one member shall be a physi-
34 cian licensed under article one hundred thirty-one of this title. Such
35 physician member shall not be a member of or credentialed by a national
36 dietetic or national nutrition association. An executive secretary to
37 the board shall be appointed by the board of regents on the recommenda-
38 tion of the commissioner.

39 § 6. Section 8004 of the education law is REPEALED and a new section
40 8004 is added to read as follows:

41 § 8004. Requirements for professional license. 1. Each applicant for
42 a license as a licensed nutritionist shall: be at least twenty-one
43 years of age; be of good moral character, acceptable to the department;
44 submit a completed application upon a form and in such manner as the
45 board prescribes demonstrating the applicant is capable and profes-
46 sionally competent, as determined by the board, to safely engage in the
47 practice of nutrition; submit any fees as required by the board, and
48 submit proof of all of the following:

49 (a) Education: Have received a master's or doctoral degree in nutri-
50 tion or a nutrition-related science leading to competence in nutrition,
51 including medical nutrition therapy, in accordance with the commis-
52 sioner's regulations, or in the equivalent as determined by the department;

53 (b) Experience: Have completed a planned, continuous, supervised prac-
54 tice experience satisfactory to the board and in accordance with the
55 commissioner's regulations, provided that such experience shall require
56 demonstration of competence in nutrition, including medical nutrition

1 therapy and involve at least one thousand hours under direct supervision
2 in the following practice areas: conducting nutrition assessment;
3 nutrition intervention; and nutrition monitoring and evaluation. The
4 experience shall be determined by the board to have prepared the appli-
5 cant to provide nutrition care services for various populations of
6 diverse cultures, genders, and across the life cycle, and to be able to
7 competently formulate actionable medical nutrition therapies and inter-
8 ventions, education, counseling, and ongoing care for the prevention,
9 modulation, and management of a range of chronic medical conditions
10 within the scope of nutrition; and

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

13 2. Each applicant for a license as a licensed dietitian shall: be at
14 least twenty-one years of age; be of good moral character, acceptable to
15 the department; submit a completed application to the department for
16 approval upon a form and in such manner as the board prescribes demon-
17 strating the applicant is capable and professionally competent, as
18 determined by the board, to safely engage in the practice of dietetics
19 and nutrition; submit any licensure fee; and submit proof of all of the
20 following:

21 (a) Education: Have received a master's or doctoral degree or an
22 equivalent as determined by the department and satisfactorily completed
23 a program of study accredited by a national dietetics accrediting body
24 and approved by the department in accordance with the commissioner's
25 regulations;

26 (b) Experience: Have satisfactorily completed a planned, continuous,
27 and supervised practice experience accredited by a national dietetics
28 accreditation body and approved by the department in accordance with the
29 commissioner's regulations, provided that such experience shall require
30 demonstration of competence in dietetics and nutrition, including
31 medical nutrition therapy, and consist of not less than one thousand
32 hours under direct supervision. The experience shall be determined by
33 the board to have prepared the applicant to provide nutrition care
34 services for various populations of diverse cultures, genders, and
35 across the life cycle, and to be able to competently formulate actiona-
36 ble medical nutrition therapies and interventions, education, coun-
37 seling, and ongoing care for the prevention, modulation, and management
38 of a range of acute and chronic medical conditions within the scope of
39 dietetics and nutrition; and

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

42 3. All applicants for licensure as a licensed nutritionist or licensed
43 dietitian shall pay a fee of one hundred fifteen dollars for an initial
44 license, and a fee of one hundred fifty-five dollars for each triennial
45 registration period.

46 § 7. Section 8005 of the education law, as added by chapter 635 of the
47 laws of 1991, is amended to read as follows:

48 § 8005. Special provisions. Nothing contained in this article shall be
49 deemed to alter, modify or impair any conditions of employment relating
50 to service in the federal government, the state of New York, its poli-
51 tical subdivisions, including school districts, or special districts and
52 authorities or any facilities or institutions under the jurisdiction of
53 or subject to the certification of any agency of the state of New York
54 or its political subdivisions. Nothing in this section shall be
55 construed to authorize an individual to provide medical nutrition thera-
56 py services requiring licensure under this article unless such individ-

1 ual is licensed or otherwise authorized under this article or exempt
2 under this article.

3 § 8. Section 8006 of the education law is REPEALED and a new section
4 8006 is added to read as follows:

5 § 8006. Special conditions. 1. Any person who is licensed as a certi-
6 fied dietitian or a certified nutritionist on the effective date of this
7 section shall be licensed as a licensed dietitian without meeting any
8 additional requirements, provided that such person:

9 (a) holds registration as a dietitian by a national dietetic commis-
10 sion that has registration standards acceptable to the department; or

11 (b) has completed:

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

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

20 (iii) passage of a dietitian examination satisfactory to the board and
21 in accordance with the commissioner's regulations.

22 2. Notwithstanding any master's degree requirement established by this
23 article or the commissioner's regulations, an applicant who was not
24 licensed as a certified dietitian or certified nutritionist in this
25 state on the effective date of this section shall be eligible for licen-
26 sure as a licensed dietitian if such applicant, prior to January first,
27 two thousand twenty-four, held registration as a dietitian by a national
28 dietetic commission that has registration standards acceptable to the
29 department, and currently holds such registration.

30 3. Any person who is licensed as a certified dietitian or a certified
31 nutritionist and does not meet the requirements provided under subdivi-
32 sion one of this section on the effective date of this section, shall be
33 licensed as a licensed nutritionist so long as they hold certification
34 as a nutrition specialist by a national nutrition specialist credential-
35 ing board that has certifying standards acceptable to the department.

36 § 9. The education law is amended by adding two new sections 8007 and
37 8008 to read as follows:

38 § 8007. Exemptions. This article shall not be construed to affect or
39 prevent:

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

51 2. A student, intern or resident from engaging in the practice of
52 dietetics or nutrition while participating in the education or experi-
53 ence requirements under section eight thousand four of this article, so
54 long as:

55 (a) The student or trainee who is completing their supervised practice
56 experience required under section eight thousand four of this article

1 practices under this subdivision not more than five years after complet-
2 ing education requirements under section eight thousand four of this
3 article;

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

7 (c) The student or trainee does not engage in the unrestricted prac-
8 tice of medical nutrition therapy; and

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

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

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

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

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

22 4. A person who disseminates non-individualized, written, general
23 nutrition information in connection with the marketing and distribution
24 of dietary supplements, food, herbs, or food materials, including expla-
25 nations of their federally regulated label claims, any known drug-nu-
26 trient interactions, their role in various diets, or suggestions as how
27 to best use and combine them so long as such information does not
28 constitute medical nutrition therapy and the person does not use titles
29 authorized under this article or hold such person out as qualified to
30 engage in the practice of medical nutrition therapy;

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

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

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

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

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

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

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

54 8. The practice of dietetics or nutrition by a corporation, provided
55 that such practice is carried on by a licensed dietitian, licensed
56 nutritionist, or a person or persons exempt under this article; and

1 9. Any person or firm offering services of a dietitian or nutrition-
2 ist, provided that such person or firm shall employ or contract only
3 persons licensed or otherwise exempt under this article.

4 § 8008. Limited permit. 1. The department may issue a limited permit
5 to practice as a provisionally licensed nutritionist or provisionally
6 licensed dietitian to an applicant for licensure who has met the educa-
7 tion and experience requirements for a licensed nutritionist or licensed
8 dietitian provided under section eight thousand four of this article.

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

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

16 4. All practice under a limited nutritionist permit shall be under the
17 supervision of a nutritionist or dietitian licensed pursuant to this
18 article.

19 5. The fee for a limited permit or the renewal thereof shall be seven-
20 ty-five dollars.

21 § 10. Subparagraph (i) of paragraph a of subdivision 1 of section
22 6503-a of the education law, as amended by chapter 554 of the laws of
23 2013, is amended to read as follows:

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

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

29 § 6505-b. Course work or training in infection control practices.
30 Every dentist, registered nurse, licensed practical nurse, podiatrist,
31 optometrist, athletic trainer, ~~and~~ dental hygienist, and licensed
32 nutritionist, and licensed dietitian practicing in the state shall, on
33 or before July first, nineteen hundred ninety-four and every four years
34 thereafter, complete course work or training appropriate to the profes-
35 sional's practice approved by the department regarding infection
36 control, which shall include sepsis, and barrier precautions, including
37 engineering and work practice controls, in accordance with regulatory
38 standards promulgated by the department, in consultation with the
39 department of health, which shall be consistent, as far as appropriate,
40 with such standards adopted by the department of health pursuant to
41 section two hundred thirty-nine of the public health law to prevent the
42 transmission of HIV, HBV, HCV and infections that could lead to sepsis
43 in the course of professional practice. Each such professional shall
44 document to the department at the time of registration commencing with
45 the first registration after July first, nineteen hundred ninety-four
46 that the professional has completed course work or training in accord-
47 ance with this section, provided, however that a professional subject to
48 the provisions of paragraph (f) of subdivision one of section twenty-
49 eight hundred five-k of the public health law shall not be required to
50 so document. The department shall provide an exemption from this
51 requirement to anyone who requests such an exemption and who (i) clearly
52 demonstrates to the department's satisfaction that there would be no
53 need for ~~him or her~~ such dentist, registered nurse, licensed practical
54 nurse, podiatrist, optometrist, athletic trainer, dental hygienist,
55 licensed nutritionist, and licensed dietitian to complete such course
56 work or training because of the nature of ~~his or her~~ such dentist,

1 registered nurse, licensed practical nurse, podiatrist, optometrist,
2 athletic trainer, dental hygienist, licensed nutritionist, and licensed
3 dietitian practice or (ii) that [~~he or she~~] such dentist, registered
4 nurse, licensed practical nurse, podiatrist, optometrist, athletic
5 trainer, dental hygienist, licensed nutritionist, and licensed dietitian
6 has completed course work or training deemed by the department to be
7 equivalent to the course work or training approved by the department
8 pursuant to this section. The department shall consult with organiza-
9 tions representative of professions, institutions and those with exper-
10 tise in infection control and HIV, HBV, HCV and infections that could
11 lead to sepsis with respect to the regulatory standards promulgated
12 pursuant to this section.

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

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

53 § 13. 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; registered nurse; social worker; emer-
14 gency medical technician; licensed creative arts therapist; licensed
15 marriage and family therapist; licensed mental health counselor;
16 licensed psychoanalyst; licensed behavior analyst; certified behavior
17 analyst assistant; licensed nutritionist; licensed dietitian; hospital
18 personnel engaged in the admission, examination, care or treatment of
19 persons; a Christian Science practitioner; school official, which
20 includes but is not limited to school teacher, school guidance counse-
21 lor, school psychologist, school social worker, school nurse, school
22 administrator or other school personnel required to hold a teaching or
23 administrative license or certificate; full or part-time compensated
24 school employee required to hold a temporary coaching license or profes-
25 sional coaching certificate; social services worker; employee of a publ-
26 ically-funded emergency shelter for families with children; director of a
27 children's overnight camp, summer day camp or traveling summer day camp,
28 as such camps are defined in section thirteen hundred ninety-two of the
29 public health law; day care center worker; school-age child care worker;
30 provider of family or group family day care; employee or volunteer in a
31 residential care facility for children that is licensed, certified or
32 operated by the office of children and family services; or any other
33 child care or foster care worker; mental health professional; substance
34 abuse counselor; alcoholism counselor; all persons credentialed by the
35 office of [~~alcoholism and substance abuse services~~] addiction services
36 and supports; employees, who are expected to have regular and substan-
37 tial contact with children, of a health home or health home care manage-
38 ment agency contracting with a health home as designated by the depart-
39 ment of health and authorized under section three hundred sixty-five-1
40 of this chapter or such employees who provide home and community based
41 services under a demonstration program pursuant to section eleven
42 hundred fifteen of the federal social security act who are expected to
43 have regular and substantial contact with children; peace officer;
44 police officer; district attorney or assistant district attorney; inves-
45 tigator employed in the office of a district attorney; or other law
46 enforcement official.

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

50 5-a. "Human services professional" shall mean any: physician; regis-
51 tered physician assistant; surgeon; medical examiner; coroner; dentist;
52 dental hygienist; osteopath; optometrist; chiropractor; podiatrist;
53 resident; intern; psychologist; registered nurse; licensed practical
54 nurse; nurse practitioner; social worker; emergency medical technician;
55 licensed creative arts therapist; licensed marriage and family thera-
56 pist; licensed mental health counselor; licensed psychoanalyst; licensed

1 behavior analyst; certified behavior analyst assistant; licensed
2 speech/language pathologist or audiologist; licensed physical therapist;
3 licensed occupational therapist; licensed nutritionist; licensed dieti-
4 tian; hospital personnel engaged in the admission, examination, care or
5 treatment of persons; Christian Science practitioner; school official,
6 which includes but is not limited to school teacher, school guidance
7 counselor, school psychologist, school social worker, school nurse,
8 school administrator or other school personnel required to hold a teach-
9 ing or administrative license or certificate; full or part-time compen-
10 sated school employee required to hold a temporary coaching license or
11 professional coaching certificate; social services worker; any other
12 child care or foster care worker; mental health professional; person
13 credentialed by the office of [~~alcoholism~~] addiction services and
14 [~~substance abuse services~~] supports; peace officer; police officer;
15 district attorney or assistant district attorney; investigator employed
16 in the office of a district attorney; or other law enforcement official.
17 § 15. This act shall take effect eighteen months after it shall have
18 become a law. Effective immediately, the addition, amendment and/or
19 repeal of any rule or regulation necessary for the implementation of
20 this act on its effective date are authorized to be made and completed
21 on or before such effective date.