STATE OF NEW YORK

8341--A

2025-2026 Regular Sessions

IN SENATE

June 3, 2025

Introduced by Sens. STAVISKY, GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to establishing a temporary practice authorization program for certain medical professionals to practice in underserved areas; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Section 6907 of the education law, as amended by chapter 994 of the laws of 1971 and as renumbered by chapter 50 of the laws of 1972, subdivision 2 as amended by chapter 315 of the laws of 1981, subdivision 4 as amended by chapter 62 of the laws of 1989 and subdivision 5 as amended by chapter 110 of the laws of 1972, is amended to read as follows:

§ 6907. Limited permits. 1. **Graduate nurses. (a)** A permit to practice as a registered professional nurse or a permit to practice as a licensed practical nurse may be issued by the department upon the filing of an application for a license as a registered professional nurse or as a licensed practical nurse and submission of such other information as the department may require to (i) graduates of schools of nursing registered by the department, (ii) graduates of schools of nursing approved in another state, province, or country or (iii) applicants for a license in practical nursing whose preparation is determined by the department to be the equivalent of that required in this state.

[~~2.~~] **(b)** Such limited permit shall expire one year from the date of issuance or upon notice to the applicant by the department that the application for license has been denied, or ten days after notification to the applicant of failure on the professional licensing examination, whichever shall first occur. Notwithstanding the foregoing provisions

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

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of this [~~subdivision~~] paragraph, if the applicant is waiting the result of a licensing examination at the time such limited permit expires, such permit shall continue to be valid until ten days after notification to the applicant of the results of such examination.

[~~3.~~] (c) A limited permit shall entitle the holder to practice nursing only under the supervision of a nurse currently registered in this state and with the endorsement of the employing agency.

[~~4. Fees.~~] (d) The fee for each limited permit shall be thirty-five dollars.

[~~5.~~] (e) Graduates of schools of nursing registered by the department may be employed to practice nursing under supervision of a professional nurse currently registered in this state and with the endorsement of the employing agency for ninety days immediately following graduation from a program in nursing and pending receipt of a limited permit for which an application has been filed as provided in this section.

2. Temporary practice authorization program. (a) There is hereby established a temporary practice authorization program for the purpose of allowing the temporary practice of registered professional nurses and licensed practical nurses in a county or facility designated by the federal government as medically underserved. Provided, however, that an individual who becomes licensed through the temporary practice authorization program must live in New York state and commit to work for the entity for which they were temporarily authorized to practice for a period of no less than three years upon such applicant becoming permanently licensed.

(b) Registered professional nurse or licensed practical nurse. (i) A person who is currently licensed and in good standing in another state or territory of the United States to practice as a registered professional nurse or a licensed practical nurse may be temporarily authorized to practice such licensed profession pursuant to this article pending a determination on licensure for which an application has been filed pursuant to this article, provided: (1) such applicant has obtained the endorsement of an employing health care facility that is authorized to provide professional nursing services; (2) the position is located within a county or facility designated by the federal government as medically underserved; and (3) the applicant is not employed by an employment agency as defined in subdivision two of section one hundred seventy-one of the general business law.

(ii) Prior to commencing practice, the applicant and an authorized representative of the employing facility shall jointly provide written notice to the department, in a form and format acceptable to the department that the applicant intends to practice in a county or facility designated by the federal government as medically underserved and the applicant shall pay a fee determined by the department. Such written notification shall also include an attestation by the applicant and the authorized representative of the employing facility that they have reviewed the requirements for licensure in New York state and that they reasonably believe such applicant to meet such requirements. Such temporary authorization shall only be applied for once and shall be granted upon receipt of such notice and attestation and the payment of such fee and shall expire in one hundred eighty days, or ten days after notification that the applicant does not meet the qualifications for licensure as a registered professional nurse or licensed practical nurse, whichever shall occur first.

(iii) The department may deny an application submitted pursuant to this section if the department determines that the employing facility

demonstrates a pattern of endorsing applicants for temporary authorization who cannot become fully licensed because they do not meet the requirements for licensure.

3. Any person practicing as a registered nurse or licensed practical nurse in New York state pursuant to this section shall be subject to the personal and subject matter jurisdiction and disciplinary and regulatory authority of the board of regents as if such person is a licensee and as if the temporary authorization pursuant to this section is a license. Such person shall comply with applicable provisions of this title and the rules of the board of regents relating to professional practice, professional misconduct, disciplinary proceedings and penalties for professional misconduct. Failure to adhere to the notification provisions of this section may be considered unauthorized practice pursuant to section sixty-five hundred twelve of this title.

§ 2. Section 6525 of the education law, as added by chapter 987 of the laws of 1971, paragraph 1 of subdivision 1 as amended by chapter 133 of the laws of 1982 and subdivision 4 as amended by chapter 62 of the laws of 1989, is amended to read as follows:

§ 6525. Limited permits. 1. Physicians. Permits limited as to eligibility, practice and duration, shall be issued by the department to eligible applicants, as follows:

[~~1.~~] (a) Eligibility[~~:~~]. The following persons shall be eligible for a limited permit:

[~~(1)~~] (i) A person who fulfills all requirements for a license as a physician except those relating to the examination and citizenship or permanent residence in the United States;

[~~(2)~~] (ii) A foreign physician who holds a standard certificate from the educational council for foreign medical graduates or who has passed an examination satisfactory to the state board for medicine and in accordance with the commissioner's regulations; or

[~~(3)~~] (iii) A foreign physician or a foreign intern who is in this country on a non-immigration visa for the continuation of medical study, pursuant to the exchange student program of the United States department of state.

[~~2.~~] (b) Limit of practice. A permittee shall be authorized to practice medicine only under the supervision of a licensed physician and only in a public, voluntary, or proprietary hospital.

[~~3.~~] (c) Duration. A limited permit shall be valid for two years. It may be renewed biennially at the discretion of the department.

[~~4.~~] (d) Fees. The fee for each limited permit and for each renewal shall be [~~one hundred five dollars~~] as determined by the department.

2. Temporary practice authorization program. (a) There is hereby established a temporary practice authorization program for the purpose of allowing the temporary practice of medicine in a county or facility designated by the federal government as medically underserved.

(b) A person who is currently licensed and in good standing in another state or territory of the United States to practice medicine may be temporarily authorized to practice medicine pursuant to this chapter under the supervision of a New York state licensed physician, pending a determination on licensure for which an application has been filed pursuant to section sixty-five hundred twenty-four of this article, provided: (i) such applicant has obtained the endorsement of an employing health care facility that is authorized by New York state law to provide medical services; (ii) the position is located within a county or facility designated by the federal government as medically underserved; (iii) the applicant has graduated from a duly accredited school

of medicine located in the United States or Canada; (iv) such applicant is currently board certified by a physician certification board acceptable to the department; and (v) the applicant is not employed by an employment agency as defined in subdivision two of section one hundred seventy-one of the general business law.

(c) Prior to commencing practice, the applicant and supervising physician shall jointly provide written notification to the department, in a form and format acceptable to the department, that such applicant intends to practice in a county or facility designated by the federal government as medically underserved and the applicant shall pay a fee determined by the department. Such written notification shall also include an attestation by the applicant and the supervising physician that they have reviewed the requirements for licensure in New York state and that they reasonably believe such applicant to meet such requirements. Such temporary authorization shall only be applied for once and shall be granted upon receipt of such notice and attestation and the payment of such fee and shall expire in one hundred eighty days or ten days after notification that the applicant does not meet the qualifications for licensure as a physician, whichever shall occur first.

(d) The department may deny an application submitted pursuant to this section if the department determines that the supervising physician or employing organization demonstrates a pattern of endorsing applicants for temporary authorization who cannot become fully licensed because they do not meet the requirements for licensure.

(e) Any person practicing as a physician in New York state pursuant to this subdivision shall be subject to the personal and subject matter jurisdiction and disciplinary and regulatory authority of the board of regents and the state board for professional medical conduct established pursuant to section two hundred thirty of the public health law as if they were a licensee and as if the authorization pursuant to this subdivision were a license. Such physician shall comply with applicable provisions of this title, the public health law, the rules of the board of regents, the state board for professional medical conduct established pursuant to section two hundred thirty of the public health law, and the regulations of the commissioner and the commissioner of health, relating to professional misconduct, disciplinary proceedings and penalties for professional misconduct. Failure to adhere to the notification provisions of this subdivision may be considered unauthorized practice pursuant to section sixty-five hundred twelve of this title.

(f) An individual who becomes licensed through the temporary practice authorization program must live in New York state and commit to work for the entity for which they were temporarily authorized to practice for a period of no less than three years upon such applicant becoming permanently licensed.

§ 3. Not later than June thirtieth of the second year following the effective date of this act, the commissioner of education shall provide the governor, the temporary president of the senate, the minority leader of the senate, the speaker of the assembly, the minority leader of the assembly, the chair of the senate standing committee on higher education, and the chair of the assembly committee on higher education with a report of the program established by this act. Such report shall, at a minimum, include the number of temporary authorizations granted by region or setting and the number and rate of conversion of temporary authorizations which became full licenses. The report shall be made publicly available on the department of education's website.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall expire 3 years after such effective date when upon such date the provisions of this act shall be deemed repealed. 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.