

STATE OF NEW YORK

9303

IN SENATE

February 27, 2026

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to certain persons with a masters in social work

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

- 1 Section 1. Subdivision 5 of section 7706 of the education law, as
2 added by chapter 420 of the laws of 2002, is amended to read as follows:
3 5. Prevent or prohibit the performance of activities and services
4 within the scope of practice of licensed master social work or licensed
5 clinical social work as defined in section seventy-seven hundred one of
6 this article by the following:
- 7 (a) any individual who is credentialed under any law, including attor-
8 neys, rape crisis counselors, credentialed alcoholism and substance
9 abuse counselors whose scope of practice includes the practices defined
10 in section seventy-seven hundred one of this article from performing or
11 claiming to perform work authorized by applicable provisions of this
12 chapter and the mental hygiene law;
- 13 (b) provision of pastoral counseling services by any member of the
14 clergy or christian science practitioner, from providing pastoral coun-
15 selling services within the context of [~~his or her~~] their ministerial
16 charge or obligation;
- 17 (c) students who are enrolled in a baccalaureate of social work or
18 professional graduate level social work program of study, and which are
19 required to perform as part of the field work component of that program,
20 services provided under the supervision of a field work supervisor
21 approved by the program;
- 22 (d) on the part of a student or trainee who is enrolled in an institu-
23 tion or program registered by the department or accredited by an accred-
24 iting organization acceptable to the department to provide training in a
25 discipline or profession, other than social work or clinical social
26 work, that is licensed pursuant to this title, where such activities and
27 services are authorized within the definition of the scope of practice
28 of the profession, or discipline in which [~~he or she is~~] they are being

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

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1 trained as set forth in [~~the education law~~] this chapter or the commis-
2 sioner's regulations, provided that such services are performed under
3 the regular and ongoing supervision of a licensee in the profession or
4 discipline in which [~~he or she is~~] they are being trained who assumes
5 professional responsibility for the services performed under [~~his or~~
6 ~~her~~] their supervision and that such activities and the provision of
7 such services are a formal part of the professional training program in
8 which [~~he or she is~~] they are enrolled;

9 (e) a graduate of an accredited master of social work program from
10 engaging in supervised social work, provided the graduate has: (i)
11 applied and paid a fee for the licensing and examination; (ii) applied
12 and paid a fee for the limited permit pursuant to section seventy-seven
13 hundred five of this article. Such exemption shall not extend beyond
14 ninety days after graduation;

15 (f) any federal, state, county or municipal employee performing clin-
16 ical social work services upon the effective date of this section for
17 the period during which they maintain such employment with such govern-
18 mental unit within the context of such employment and shall be limited
19 to the services provided upon such effective date; and

20 [~~(f)~~] (g) any employee performing clinical social work services on the
21 effective date of this section for the period during which they maintain
22 such employment with such entity within the context of such employment,
23 and shall be limited to the services provided prior to such effective
24 date.

25 § 2. This act shall take effect on the first of January next succeed-
26 ing the date on which it shall have become a law.