

STATE OF NEW YORK

9858--A

IN SENATE

April 9, 2026

Introduced by Sen. HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to the definition of mental health care provider for purposes of sex offenses

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

1 Section 1. Subdivision 13 of section 130.00 of the penal law, as
2 amended by chapter 636 of the laws of 2024, is amended to read as
3 follows:

4 13. "Mental health care provider" [~~shall mean~~] means any person who
5 is, or is required to be, licensed or registered or holds themself out
6 to be licensed or registered, or provides services as if they were
7 licensed or registered as a licensed physician, licensed psychologist,
8 registered professional nurse, licensed clinical social worker, licensed
9 master social worker under the supervision of a physician, psychologist
10 or licensed clinical social worker, licensed mental health counselor or
11 a licensed marriage and family therapist under any of the following:
12 article one hundred fifty-three, one hundred fifty-four, or one hundred
13 sixty-three of the education law.

14 § 2. This act shall take effect immediately.

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

LBD15385-03-6