STATE OF NEW YORK

8183

2025-2026 Regular Sessions

IN ASSEMBLY

May 5, 2025

Introduced by M. of A. BRONSON -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to requirements for certain mental health practitioners to be issued privilege to diagnose and develop assessment-based treatment plans

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

Section 1. Paragraphs (d) and (e) of subdivision 1 of section 8401-a of the education law, as added by chapter 230 of the laws of 2022, are amended and a new paragraph (f) is added to read as follows:

(d) Experience: [~~(i)~~] Have completed at least two thousand hours of supervised, direct client contact that shall include, but not be limited to, diagnosis, psychotherapy and the development of assessment-based treatment plans, as defined in section eighty-four hundred one of this article, satisfactory to the department.

[~~(ii) Subparagraph (i) of this paragraph shall not apply to a mental health counselor, marriage and family therapist, or psychoanalyst who was licensed prior to June twenty-fourth, two thousand twenty-four, and who provides attestation, on a form prescribed by the department, from a supervisor in a facility setting or other supervised setting approved by the department under supervision in accordance with the commissioner's regulations, that such licensee has at least three years of experience engaged in direct client contact that shall include diagnosis, psychotherapy and the development of assessment-based treatment plans. Such licensee shall submit an application to the department within three years of the effective date of this section.~~]

(e) Fee: Pay a fee of one hundred [~~seventy-five~~] dollars for issuance of a privilege to diagnose and develop assessment-based treatment plans.

(f) Alternate requirements for certain practitioners. Notwithstanding paragraphs (c) and (d) of this subdivision, a mental health counselor, marriage and family therapist, or psychoanalyst licensed prior to June

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

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twenty-fourth, two thousand twenty-seven, shall be granted the privilege to diagnose and develop assessment-based treatment plans if such mental health counselor, marriage and family therapist, or psychoanalyst:

(i) files an application with the department;

(ii) is licensed and registered as a mental health counselor, marriage and family therapist, or psychoanalyst, and:

(1) provides verification of twelve credit hours of clinical coursework as defined by the department from a college or university acceptable to the department;

(2) provides verification of a minimum of two years of employment as a licensed mental health counselor, marriage and family therapist, or psychoanalyst by a licensed supervisor or colleague on forms acceptable to the department, in a program or service operated, regulated, funded, or approved by the department of mental hygiene, the office of children and family services, the office of temporary and disability assistance, the department of corrections and community supervision, the state office for the aging, the department of health, or a local governmental unit as such term is defined by section 41.03 of the mental hygiene law, or a social services district as defined by section sixty-one of the social services law; or

(3) provides verification of being licensed as a mental health counselor, marriage and family therapist, or psychoanalyst for a minimum of two years, and:

(A) provides documentation of at least six credit hours of clinical coursework as defined by the department from a college or university acceptable to the department; or

(B) provides documentation of at least twelve hours of continuing education in clinical coursework subject to section eighty-four hundred twelve-a of this article; and

(iii) pays the fee as required under paragraph (e) of this subdivision.

§ 2. This act shall take effect immediately.