

STATE OF NEW YORK

8968--C

2025-2026 Regular Sessions

IN ASSEMBLY

August 13, 2025

Introduced by M. of A. HYNDMAN, SCHIAVONI, WILLIAMS -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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
12 practice of medical nutrition therapy. All persons licensed under this
13 article shall exercise professional judgment within the scope of their
14 education, training, and experience, and shall make referrals to other
15 qualified health care providers when necessary to ensure safe and
16 comprehensive patient care. The general provision for all professions
17 contained in article one hundred thirty of this title shall apply to
18 this article.

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

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

3 § 8001. ~~[Definitions]~~ Dietetic and nutrition practice. 1. ~~[Dietetics
4 and nutrition are herein each defined as the integration and applica-
5 tion of principles derived from the sciences of nutrition, biochemistry,
6 physiology, food management and behavioral and social sciences to
7 achieve and maintain people's health.~~

8 ~~2. Where the title "certified dietitian" or "certified nutritionist"
9 is used in this article it shall mean "certified dietitian", "certified
10 dietician", or "certified nutritionist".~~

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

19 ~~(a) Assessing nutrition needs and food patterns,
20 (b) Planning for and directing the provision of food appropriate for
21 physical and nutrition needs, and~~

22 ~~(c) Providing nutrition counseling.]~~ The practice of dietetics encom-
23 passes the practice of nutrition and includes providing medical nutri-
24 tion therapy and advanced medical nutrition therapy delivered in-person
25 or via telehealth, to prevent, manage, or treat chronic and acute
26 diseases or medical conditions and promote wellness in inpatient and
27 outpatient settings.

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

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

39 § 8002. Use of titles. ~~[Only a]~~ 1. No person [certified under this
40 article shall be authorized to use the title "certified dietitian",
41 "certified dietician", or "certified nutritionist"] may designate or
42 hold such person out as a dietitian or use or assume the title "dieti-
43 tian", "licensed dietitian", "dietician", or any other title indicating
44 that the person is a licensed dietitian or append to or use in conjunc-
45 tion with that person's name the letters "LD" unless such person is
46 licensed as a dietitian under this article.

47 2. No person may use or assume any title indicating that the person
48 is a licensed nutritionist or append to or use in conjunction with
49 that person's name the letters "LN" unless the person is licensed as a
50 nutritionist under this article.

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

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

1 § 8002-a. Definitions. For the purposes of this article, the following
2 terms shall have the following meanings:

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

13 2. "Medical nutrition therapy" means the provision of nutrition
14 assessment, nutrition diagnosis, nutrition intervention, or nutrition
15 monitoring and evaluation for the purpose of management or treatment of
16 a disease or medical condition. Only a person licensed or otherwise
17 exempt under this article shall practice medical nutrition therapy or
18 offer to provide such services.

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

21 (a) assessing and evaluating the nutritional needs of individuals and
22 groups and determining resources and constraints in a practice setting,
23 including ordering of nutrition-related laboratory tests to check and
24 track nutrition status;

25 (b) identifying nutrition problems and establishing priorities, goals,
26 and objectives that meet nutritional needs and are consistent with
27 available resources and constraints;

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

32 (d) determining and providing appropriate nutrition interventions in
33 health and disease, including nutrition counseling on food and
34 prescription drug interactions;

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

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

38 4. "Nutrition diagnosis" in the context of the practice of dietetics
39 or the practice of nutrition means identifying and labeling nutrition
40 problems managed and treated by a licensed dietitian or licensed nutri-
41 tionist. Such diagnostic privilege is distinct from a medical diagno-
42 sis.

43 5. "Therapeutic diet" means a diet intervention prescribed by a physi-
44 cian or other authorized provider, including a licensed dietitian or,
45 for oral diets only, a licensed nutritionist. A therapeutic diet
46 provides food, fluids, or nutrients by oral, enteral, or parenteral
47 routes and is used in the treatment of a disease or clinical condition
48 to modify, eliminate, decrease, or increase specific macro- or micronu-
49 trients, or to provide mechanically altered food when medically indi-
50 cated.

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

53 § 8003. State board for dietetics and nutrition. A state board for
54 dietetics and nutrition shall be appointed by the board of regents, on
55 recommendation of the commissioner, for the purpose of assisting the
56 board of regents and the department on matters of [~~certification~~] licen-

1 sure, practice, and professional conduct in accordance with section
2 sixty-five hundred eight of this [~~chapter~~] title.

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

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

31 § 6. Section 8004 of the education law is REPEALED and a new section
32 8004 is added to read as follows:

33 § 8004. Requirements for professional license. 1. Each applicant for
34 a license as a licensed nutritionist shall: be at least twenty-one
35 years of age; be of good moral character, acceptable to the department;
36 submit a completed application upon a form and in such manner as the
37 board prescribes demonstrating the applicant is capable and profes-
38 sionally competent, as determined by the board, to safely engage in the
39 practice of nutrition; submit any fees as required by the board, and
40 submit proof of all of the following:

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

45 (b) Experience: Have completed a planned, continuous, supervised prac-
46 tice experience satisfactory to the board and in accordance with the
47 commissioner's regulations, provided that such experience shall require
48 demonstration of competence in nutrition, including medical nutrition
49 therapy and involve at least one thousand hours under direct supervision
50 in the following practice areas: conducting nutrition assessment;
51 nutrition intervention; and nutrition monitoring and evaluation. The
52 experience shall be determined by the board to have prepared the appli-
53 cant to provide nutrition care services for various populations of
54 diverse cultures, genders, and across the life cycle, and to be able to
55 competently formulate actionable medical nutrition therapies and inter-
56 ventions, education, counseling, and ongoing care for the prevention,

1 modulation, and management of a range of chronic medical conditions
2 within the scope of nutrition; and

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

5 2. Each applicant for a license as a licensed dietitian shall: be at
6 least twenty-one years of age; be of good moral character, acceptable to
7 the department; submit a completed application to the department for
8 approval upon a form and in such manner as the board prescribes demon-
9 strating the applicant is capable and professionally competent, as
10 determined by the board, to safely engage in the practice of dietetics
11 and nutrition; submit any licensure fee; and submit proof of all of the
12 following:

13 (a) Education: Have received a master's or doctoral degree or an
14 equivalent as determined by the department and satisfactorily completed
15 a program of study accredited by a national dietetics accrediting body
16 and approved by the department in accordance with the commissioner's
17 regulations;

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

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

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

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

40 § 8005. Special provisions. Nothing contained in this article shall be
41 deemed to alter, modify or impair any conditions of employment relating
42 to service in the federal government, the state of New York, its poli-
43 tical subdivisions, including school districts, or special districts and
44 authorities or any facilities or institutions under the jurisdiction of
45 or subject to the certification of any agency of the state of New York
46 or its political subdivisions. Nothing in this section shall be
47 construed to authorize an individual to provide medical nutrition thera-
48 py services requiring licensure under this article unless such individ-
49 ual is licensed or otherwise authorized under this article or exempt
50 under this article.

51 § 8. Section 8006 of the education law is REPEALED and a new section
52 8006 is added to read as follows:

53 § 8006. Special conditions. 1. Any person who is licensed as a certi-
54 fied dietitian or a certified nutritionist on the effective date of this
55 section shall be licensed as a licensed dietitian without meeting any
56 additional requirements, provided that such person:

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

3 (b) has completed:

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

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

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

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

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

28 § 9. The education law is amended by adding two new sections 8007 and
29 8008 to read as follows:

30 § 8007. Exemptions. This article shall not be construed to affect or
31 prevent:

32 1. A licensed physician from practicing such physician's profession as
33 defined under articles one hundred thirty-one and one hundred thirty-
34 one-B of this title; a registered professional nurse or a certified
35 nurse practitioner practicing such nurse or nurse practitioner's profes-
36 sion as defined under article one hundred thirty-nine of this title; a
37 licensed physician assistant from such physician assistant's profession
38 as defined under article one hundred thirty-one-B of this title; or
39 qualified members of other professions licensed under this title from
40 performing work incidental to the practice of their professions, except
41 that such persons may not hold themselves out under the title authorized
42 by this article;

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

47 (a) The student or trainee who is completing their supervised practice
48 experience required under section eight thousand four of this article
49 practices under this subdivision not more than five years after complet-
50 ing education requirements under section eight thousand four of this
51 article;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

52 § 8008. Limited permit. 1. The department may issue a limited permit
53 to practice as a provisionally licensed nutritionist or provisionally
54 licensed dietitian to an applicant for licensure who has met the educa-
55 tion and experience requirements for a licensed nutritionist or licensed
56 dietitian provided under section eight thousand four of this article.

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

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

8 4. All practice under a limited nutritionist permit shall be under the
9 supervision of a nutritionist or dietitian licensed pursuant to this
10 article.

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

13 § 10. Subparagraph (i) of paragraph a of subdivision 1 of section
14 6503-a of the education law, as amended by chapter 554 of the laws of
15 2013, is amended to read as follows:

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

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

21 § 6505-b. Course work or training in infection control practices.
22 Every dentist, registered nurse, licensed practical nurse, podiatrist,
23 optometrist, athletic trainer, [~~and~~] dental hygienist, and licensed
24 nutritionist, and licensed dietitian practicing in the state shall, on
25 or before July first, nineteen hundred ninety-four and every four years
26 thereafter, complete course work or training appropriate to the profes-
27 sional's practice approved by the department regarding infection
28 control, which shall include sepsis, and barrier precautions, including
29 engineering and work practice controls, in accordance with regulatory
30 standards promulgated by the department, in consultation with the
31 department of health, which shall be consistent, as far as appropriate,
32 with such standards adopted by the department of health pursuant to
33 section two hundred thirty-nine of the public health law to prevent the
34 transmission of HIV, HBV, HCV and infections that could lead to sepsis
35 in the course of professional practice. Each such professional shall
36 document to the department at the time of registration commencing with
37 the first registration after July first, nineteen hundred ninety-four
38 that the professional has completed course work or training in accord-
39 ance with this section, provided, however that a professional subject to
40 the provisions of paragraph (f) of subdivision one of section twenty-
41 eight hundred five-k of the public health law shall not be required to
42 so document. The department shall provide an exemption from this
43 requirement to anyone who requests such an exemption and who (i) clearly
44 demonstrates to the department's satisfaction that there would be no
45 need for [~~him or her~~] such dentist, registered nurse, licensed practical
46 nurse, podiatrist, optometrist, athletic trainer, dental hygienist,
47 licensed nutritionist, and licensed dietitian to complete such course
48 work or training because of the nature of [~~his or her~~] such dentist,
49 registered nurse, licensed practical nurse, podiatrist, optometrist,
50 athletic trainer, dental hygienist, licensed nutritionist, and licensed
51 dietitian practice or (ii) that [~~he or she~~] such dentist, registered
52 nurse, licensed practical nurse, podiatrist, optometrist, athletic
53 trainer, dental hygienist, licensed nutritionist, and licensed dietitian
54 has completed course work or training deemed by the department to be
55 equivalent to the course work or training approved by the department
56 pursuant to this section. The department shall consult with organiza-

1 tions representative of professions, institutions and those with exper-
2 tise in infection control and HIV, HBV, HCV and infections that could
3 lead to sepsis with respect to the regulatory standards promulgated
4 pursuant to this section.

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

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

45 § 13. Paragraph (a) of subdivision 1 of section 413 of the social
46 services law, as amended by chapter 733 of the laws of 2023, is amended
47 to read as follows:

48 (a) The following persons and officials are required to report or
49 cause a report to be made in accordance with this title when they have
50 reasonable cause to suspect that a child coming before them in their
51 professional or official capacity is an abused or maltreated child, or
52 when they have reasonable cause to suspect that a child is an abused or
53 maltreated child where the parent, guardian, custodian or other person
54 legally responsible for such child comes before them in their profes-
55 sional or official capacity and states from personal knowledge facts,
56 conditions or circumstances which, if correct, would render the child an

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

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

41 5-a. "Human services professional" shall mean any: physician; regis-
42 tered physician assistant; surgeon; medical examiner; coroner; dentist;
43 dental hygienist; osteopath; optometrist; chiropractor; podiatrist;
44 resident; intern; psychologist; registered nurse; licensed practical
45 nurse; nurse practitioner; social worker; emergency medical technician;
46 licensed creative arts therapist; licensed marriage and family thera-
47 pist; licensed mental health counselor; licensed psychoanalyst; licensed
48 behavior analyst; certified behavior analyst assistant; licensed
49 speech/language pathologist or audiologist; licensed physical therapist;
50 licensed occupational therapist; licensed nutritionist; licensed dieti-
51 tian; hospital personnel engaged in the admission, examination, care or
52 treatment of persons; Christian Science practitioner; school official,
53 which includes but is not limited to school teacher, school guidance
54 counselor, school psychologist, school social worker, school nurse,
55 school administrator or other school personnel required to hold a teach-
56 ing or administrative license or certificate; full or part-time compen-

1 sated school employee required to hold a temporary coaching license or
2 professional coaching certificate; social services worker; any other
3 child care or foster care worker; mental health professional; person
4 credentialed by the office of [~~alcoholism~~] addiction services and
5 [~~substance-abuse-services~~] supports; peace officer; police officer;
6 district attorney or assistant district attorney; investigator employed
7 in the office of a district attorney; or other law enforcement official.
8 § 15. This act shall take effect eighteen months after it shall have
9 become a law. Effective immediately, the addition, amendment and/or
10 repeal of any rule or regulation necessary for the implementation of
11 this act on its effective date are authorized to be made and completed
12 on or before such effective date.