

STATE OF NEW YORK

607--B

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, 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

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

LBD01594-04-6

1 comprehensive patient care. The general provision for all professions
2 contained in article one hundred thirty of this title shall apply to
3 this article.

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

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

11 ~~2. Where the title "certified dietitian" or "certified nutritionist"~~
12 ~~is used in this article it shall mean "certified dietitian", "certified~~
13 ~~dietician", or "certified nutritionist".~~

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

22 ~~(a) Assessing nutrition needs and food patterns;~~

23 ~~(b) Planning for and directing the provision of food appropriate for~~
24 ~~physical and nutrition needs; and~~

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

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

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

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

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

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

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

3 § 8002-a. Definitions. For the purposes of this article, the following
4 terms shall have the following meanings:

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

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

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

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

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

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

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

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

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

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

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

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

55 § 8003. State board for dietetics and nutrition. A state board for
56 dietetics and nutrition shall be appointed by the board of regents, on

1 recommendation of the commissioner, for the purpose of assisting the
2 board of regents and the department on matters of [~~certification~~] licen-
3 sure, practice, and professional conduct in accordance with section
4 sixty-five hundred eight of this [~~chapter~~] title.

5 [~~The~~] All members serving terms on the state board for dietetics and
6 nutrition on the effective date of the chapter of the laws of two thou-
7 sand twenty-six which amended this section shall continue to serve out
8 their respective terms of office until their respective successors are
9 appointed and qualified. Thereafter, the board shall consist of [~~not~~
10 ~~less than thirteen~~] eleven members, [~~ten~~] six of whom shall be [~~certi-~~
11 ~~fied dietitians or certified nutritionists, except that the members of~~
12 ~~the first board need not be certified but shall be persons who are~~
13 ~~eligible for certification under the provisions of this article prior to~~
14 ~~their appointment to the board. The first board, with respect to~~
15 ~~members representing the profession, shall consist of five members~~
16 ~~registered by a national dietetic association having registration stand-~~
17 ~~ards acceptable to the department and five members who are members of or~~
18 ~~registered by a national nutritional association having membership~~
19 ~~and/or registration standards acceptable to the department. Thereafter,~~
20 ~~members of the profession appointed to such board shall be certified~~
21 ~~pursuant to this article~~] licensed dietitians and two of whom shall be
22 licensed nutritionists pursuant to this article. To the extent reason-
23 able, the board of regents should insure the state board is broadly
24 representative of various professional interests within the dietetic and
25 nutritional community. [~~Three~~] Two members shall be representatives of
26 the general public and one member shall be a physician licensed under
27 article one hundred thirty-one of this title. Such physician member
28 shall not be a member of or credentialed by a national dietetic or
29 national nutrition association. An executive secretary to the board
30 shall be appointed by the board of regents on the recommendation of the
31 commissioner.

32 § 6. Section 8004 of the education law is REPEALED and a new section
33 8004 is added to read as follows:

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

42 (a) Education: Have received a master's or doctoral degree in nutri-
43 tion or a nutrition-related science leading to competence in nutrition,
44 including medical nutrition therapy, in accordance with the commision-
45 er's regulations;

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

1 late actionable medical nutrition therapies and interventions, educa-
2 tion, counseling, and ongoing care for the prevention, modulation, and
3 management of a range of chronic medical conditions within the scope of
4 nutrition; and

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

7 2. (a) Each applicant for a license as a licensed dietitian shall: be
8 at least twenty-one years of age; be of good moral character, acceptable
9 to the department; submit a completed application upon a form and in
10 such manner as the board prescribes demonstrating the applicant is capa-
11 ble and professionally competent, as determined by the board, to safely
12 engage in the practice of dietetics and nutrition; submit any fees as
13 required by the board; and submit proof of all of the following:

14 (i) Education: Have received a master's or doctoral degree and satis-
15 factorily completed a program of study accredited by a national dietet-
16 ics accrediting body and approved by the department in accordance with
17 the commissioner's regulations;

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

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

34 (b) An application for a dietitian license submitted by individuals,
35 who prior to January first, two thousand twenty-six held registration as
36 a dietitian by a national dietetic commission that has registration
37 standards acceptable to the department, and currently holds such regis-
38 tration, is governed by the provisions of law in effect immediately
39 before the effective date of this section, and the former law is contin-
40 ued in effect for that purpose.

41 3. All applicants for licensure as a licensed nutritionist or licensed
42 dietitian shall pay a fee for an initial license, and a fee for each
43 triennial registration period.

44 § 7. Section 8005 of the education law is REPEALED.

45 § 8. Section 8006 of the education law is REPEALED and a new section
46 8006 is added to read as follows:

47 § 8006. Special conditions. 1. Any person who is licensed as a certi-
48 fied dietitian or a certified nutritionist on the effective date of the
49 chapter of the laws of two thousand twenty-six which added this section,
50 shall be licensed as a licensed dietitian without meeting any additional
51 requirements so long as they hold registration as a dietitian by a
52 national dietetic commission that has registration standards acceptable
53 to the department or have completed:

54 (a) a bachelor's or higher degree from a programmatically accredited
55 didactic program approved by the department in accordance with the
56 commissioner's regulations;

1 (b) a supervised practice experience acceptable to the board and in
2 accordance with the commissioner's regulations, provided that such expe-
3 rience consisted of satisfactory completion of a nationally accredited
4 dietetic and nutrition experience approved by the department of not less
5 than nine hundred hours; and

6 (c) passage of a dietitian examination satisfactory to the board and
7 in accordance with the commissioner's regulations.

8 2. Any person who is licensed as a certified dietitian or a certified
9 nutritionist and does not meet the requirements provided under subdivi-
10 sion one of this section on the effective date of the chapter of the
11 laws of two thousand twenty-six which added this section, shall be
12 licensed as a licensed nutritionist without meeting any additional
13 requirements.

14 § 9. The education law is amended by adding two new sections 8007 and
15 8008 to read as follows:

16 § 8007. Exemptions. This article shall not be construed to affect or
17 prevent:

18 1. A licensed physician from practicing such physician's profession as
19 defined under articles one hundred thirty-one and one hundred thirty-
20 one-B of this title; a registered professional nurse or a certified
21 nurse practitioner practicing such nurse or nurse practitioner's profes-
22 sion as defined under article one hundred thirty-nine of this title; a
23 licensed physician assistant from such physician assistant's profession
24 as defined under article one hundred thirty-one-B of this title; or
25 qualified members of other professions licensed under this title from
26 performing work incidental to the practice of their professions, except
27 that such persons may not hold themselves out under the title authorized
28 by this article;

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

33 (a) The student or trainee who is completing their supervised practice
34 experience required under section eight thousand four of this article
35 practices under this subdivision not more than five years after complet-
36 ing education requirements under section eight thousand four of this
37 article;

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

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

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

46 3. A dietitian or nutritionist who is serving in the armed forces of
47 the United States or any other federal agency from engaging in the prac-
48 tice of dietetics or nutrition, or using government issued titles,
49 provided that such practice or title use is related to service or
50 employment;

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

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

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

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

5 5. A person who disseminates non-individualized, written, general
6 nutrition information in connection with the marketing and distribution
7 of dietary supplements, food, herbs, or food materials, including expla-
8 nations of their federally regulated label claims, any known drug-nu-
9 trient interactions, their role in various diets, or suggestions as how
10 to best use and combine them so long as such information does not
11 constitute medical nutrition therapy and the person does not use titles
12 authorized under this article or hold such person out as qualified to
13 engage in the practice of medical nutrition therapy;

14 6. A person who provides medical weight control for persons with
15 obesity as part of any of the following:

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

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

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

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

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

31 8. A person who does not utilize titles authorized under this article
32 and assists the provision of medical nutrition therapy if the person
33 performs only support activities that are not discretionary and that do
34 not require the exercise of professional judgment for their performance,
35 and the person is directly supervised by a nutritionist or dietitian
36 licensed under this title; and

37 9. A person from practicing dietetics or nutrition to the extent
38 permissible within the scope of practice of such professions, by any
39 not-for-profit corporation or education corporation providing services
40 within the state of New York and operating under a waiver pursuant to
41 section sixty-five hundred three-a of this title, provided that such
42 entities offering dietetics or nutrition services shall only provide
43 such services through an individual appropriately licensed or otherwise
44 authorized to provide such services or a professional entity authorized
45 by law to provide such services.

46 § 8008. Limited permit. 1. The department may issue a limited permit
47 to practice as a provisionally licensed nutritionist or provisionally
48 licensed dietitian to an applicant for licensure who has met the educa-
49 tion and experience requirements for a licensed nutritionist or licensed
50 dietitian provided under section eight thousand four of this article.

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

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

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

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

8 § 10. Subparagraph (i) of paragraph a of subdivision 1 of section
9 6503-a of the education law, as amended by chapter 554 of the laws of
10 2013, is amended to read as follows:

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

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

16 § 6505-b. Course work or training in infection control practices.
17 Every dentist, registered nurse, licensed practical nurse, podiatrist,
18 optometrist, athletic trainer, [~~and~~] dental hygienist, and licensed
19 nutritionist, and licensed dietitian practicing in the state shall, on
20 or before July first, nineteen hundred ninety-four and every four years
21 thereafter, complete course work or training appropriate to the profes-
22 sional's practice approved by the department regarding infection
23 control, which shall include sepsis, and barrier precautions, including
24 engineering and work practice controls, in accordance with regulatory
25 standards promulgated by the department, in consultation with the
26 department of health, which shall be consistent, as far as appropriate,
27 with such standards adopted by the department of health pursuant to
28 section two hundred thirty-nine of the public health law to prevent the
29 transmission of HIV, HBV, HCV and infections that could lead to sepsis
30 in the course of professional practice. Each such professional shall
31 document to the department at the time of registration commencing with
32 the first registration after July first, nineteen hundred ninety-four
33 that the professional has completed course work or training in accord-
34 ance with this section, provided, however that a professional subject to
35 the provisions of paragraph (f) of subdivision one of section twenty-
36 eight hundred five-k of the public health law shall not be required to
37 so document. The department shall provide an exemption from this
38 requirement to anyone who requests such an exemption and who (i) clearly
39 demonstrates to the department's satisfaction that there would be no
40 need for [~~him or her~~] such dentist, registered nurse, licensed practical
41 nurse, podiatrist, optometrist, dental hygienist, licensed nutritionist,
42 and licensed dietitian to complete such course work or training because
43 of the nature of [~~his or her~~] such dentist, registered nurse, licensed
44 practical nurse, podiatrist, optometrist, dental hygienist, licensed
45 nutritionist, and licensed dietitian practice or (ii) that [~~he or she~~]
46 such dentist, registered nurse, licensed practical nurse, podiatrist,
47 optometrist, dental hygienist, licensed nutritionist, and licensed
48 dietitian has completed course work or training deemed by the department
49 to be equivalent to the course work or training approved by the depart-
50 ment pursuant to this section. The department shall consult with organ-
51 izations representative of professions, institutions and those with
52 expertise in infection control and HIV, HBV, HCV and infections that
53 could lead to sepsis with respect to the regulatory standards promulgat-
54 ed pursuant to this section.

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

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

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

44 (a) The following persons and officials are required to report or
45 cause a report to be made in accordance with this title when they have
46 reasonable cause to suspect that a child coming before them in their
47 professional or official capacity is an abused or maltreated child, or
48 when they have reasonable cause to suspect that a child is an abused or
49 maltreated child where the parent, guardian, custodian or other person
50 legally responsible for such child comes before them in their profes-
51 sional or official capacity and states from personal knowledge facts,
52 conditions or circumstances which, if correct, would render the child an
53 abused or maltreated child: any physician; registered physician assist-
54 ant; surgeon; medical examiner; coroner; dentist; dental hygienist;
55 osteopath; optometrist; chiropractor; podiatrist; resident; intern;
56 athletic trainer; psychologist; registered nurse; social worker; emer-

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

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

37 5-a. "Human services professional" shall mean any: physician; regis-
38 tered physician assistant; surgeon; medical examiner; coroner; dentist;
39 dental hygienist; osteopath; optometrist; chiropractor; podiatrist;
40 resident; intern; psychologist; registered nurse; licensed practical
41 nurse; nurse practitioner; social worker; emergency medical technician;
42 licensed creative arts therapist; licensed marriage and family thera-
43 pist; licensed mental health counselor; licensed psychoanalyst; licensed
44 behavior analyst; certified behavior analyst assistant; licensed
45 speech/language pathologist or audiologist; licensed physical therapist;
46 licensed occupational therapist; licensed nutritionist; licensed dieti-
47 tian; hospital personnel engaged in the admission, examination, care or
48 treatment of persons; Christian Science practitioner; school official,
49 which includes but is not limited to school teacher, school guidance
50 counselor, school psychologist, school social worker, school nurse,
51 school administrator or other school personnel required to hold a teach-
52 ing or administrative license or certificate; full or part-time compen-
53 sated school employee required to hold a temporary coaching license or
54 professional coaching certificate; social services worker; any other
55 child care or foster care worker; mental health professional; person
56 credentialed by the office of [~~alcoholism~~] addiction services and

1 [~~substance abuse services~~] supports; peace officer; police officer;
2 district attorney or assistant district attorney; investigator employed
3 in the office of a district attorney; or other law enforcement official.
4 § 15. This act shall take effect eighteen months after it shall have
5 become a law. Effective immediately, the addition, amendment and/or
6 repeal of any rule or regulation necessary for the implementation of
7 this act on its effective date are authorized to be made and completed
8 on or before such effective date.