

STATE OF NEW YORK

8737

IN SENATE

January 7, 2026

Introduced by Sen. PARKER -- 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 establishing a temporary practice authorization program for certain nurses

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

1 Section 1. Section 6907 of the education law, as amended by chapter
2 994 of the laws of 1971 and as renumbered by chapter 50 of the laws of
3 1972, subdivision 2 as amended by chapter 315 of the laws of 1981,
4 subdivision 4 as amended by chapter 62 of the laws of 1989 and subdivi-
5 sion 5 as amended by chapter 110 of the laws of 1972, is amended to read
6 as follows:

7 § 6907. Limited permits. 1. Graduate nurses. (a) A permit to practice
8 as a registered professional nurse or a permit to practice as a licensed
9 practical nurse may be issued by the department upon the filing of an
10 application for a license as a registered professional nurse or as a
11 licensed practical nurse and submission of such other information as the
12 department may require to (i) graduates of schools of nursing registered
13 by the department, (ii) graduates of schools of nursing approved in
14 another state, province, or country or (iii) applicants for a license in
15 practical nursing whose preparation is determined by the department to
16 be the equivalent of that required in this state.

17 ~~[2-]~~ (b) Such limited permit shall expire one year from the date of
18 issuance or upon notice to the applicant by the department that the
19 application for license has been denied, or ten days after notification
20 to the applicant of failure on the professional licensing examination,
21 whichever shall first occur. Notwithstanding the foregoing provisions
22 of this ~~[subdivision]~~ paragraph, if the applicant is waiting the result
23 of a licensing examination at the time such limited permit expires, such
24 permit shall continue to be valid until ten days after notification to
25 the applicant of the results of such examination.

26 ~~[3-]~~ (c) A limited permit shall entitle the holder to practice nursing
27 only under the supervision of a nurse currently registered in this state
28 and with the endorsement of the employing agency.

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

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1 ~~[4. Fees.]~~ (d) The fee for each limited permit shall be thirty-five
2 dollars.

3 ~~[5.]~~ (e) Graduates of schools of nursing registered by the department
4 may be employed to practice nursing under supervision of a professional
5 nurse currently registered in this state and with the endorsement of the
6 employing agency for ninety days immediately following graduation from a
7 program in nursing and pending receipt of a limited permit for which an
8 application has been filed as provided in this section.

9 2. Temporary practice authorization program. (a) There is hereby
10 established a temporary practice authorization program for the purpose
11 of allowing the temporary practice of retired registered professional
12 nurses and retired licensed practical nurses in the facility such nurse
13 had previously worked. Provided, however, that an individual who
14 becomes licensed through the temporary practice authorization program
15 must live in New York state, have retired within the last eight years
16 and commit to work for the entity for which they were temporarily
17 authorized to practice for a period of no less than eight days within a
18 sixty day period. Such temporary practice authorization shall be renewed
19 every six months for a maximum period of five years.

20 (b) Prior to commencing practice, the applicant and an authorized
21 representative of the employing facility shall jointly provide written
22 notice to the department, in a form and format acceptable to the depart-
23 ment that the applicant intends to practice in the facility such appli-
24 cant previously worked, the applicant will be providing supplemental
25 support to such facility including but not limited to covering breaks,
26 mentoring and training new staff, and supporting day-to-day patient care
27 without assuming the responsibilities of primary staffing, and the
28 facility shall be compensating such applicant at the standard rate of
29 such facility. Such written notification shall also include an attesta-
30 tion by the applicant and the authorized representative of the employing
31 facility that they have reviewed the requirements for licensure in New
32 York state, that they reasonably believe such applicant to meet such
33 requirements, that the facility shall not use such applicant for primary
34 staffing purposes, and that the facility shall submit quarterly reports
35 to the department detailing temporary nurse placements, hours worked,
36 and verification that temporary nurses were not used as primary staff.
37 Such temporary authorization shall only be applied for once and shall be
38 granted upon receipt of such notice and attestation and shall expire in
39 one hundred eighty days, or ten days after notification that the appli-
40 cant does not meet the qualifications for licensure as a registered
41 professional nurse or licensed practical nurse, whichever shall occur
42 first.

43 (c) The department may deny an application submitted pursuant to this
44 section if the department determines that the employing facility has
45 failed to file quarterly reports as required by this subdivision and/or
46 has used temporary nurse placements for primary staffing.

47 3. Any person practicing as a registered nurse or licensed practical
48 nurse in New York state pursuant to this section shall be subject to the
49 personal and subject matter jurisdiction and disciplinary and regulatory
50 authority of the board of regents as if such person is a licensee and as
51 if the temporary authorization pursuant to this section is a license.
52 Such person shall comply with applicable provisions of this title and
53 the rules of the board of regents relating to professional practice,
54 professional misconduct, disciplinary proceedings and penalties for
55 professional misconduct. Failure to adhere to the notification

provisions of this section may be considered unauthorized practice pursuant to section sixty-five hundred twelve of this title.

§ 2. Not later than June thirtieth of the second year following the effective date of this act, the commissioner of education shall provide the governor, the temporary president of the senate, the minority leader of the senate, the speaker of the assembly, the minority leader of the assembly, the chair of the senate standing committee on higher education, and the chair of the assembly committee on higher education with a report of the program established by this act. Such report shall, at a minimum, include the number of temporary authorizations granted by region or setting. The report shall be made publicly available on the department of education's website.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.