

STATE OF NEW YORK

9858

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

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 a licensed physi-
5 cian, licensed psychologist, registered professional nurse, licensed
6 clinical social worker, licensed master social worker under the super-
7 vision of a physician, psychologist or licensed clinical social worker,
8 licensed mental health counselor or a licensed marriage and family ther-
9 apist, or any person who holds themselves out to be licensed or registered
10 or provides services as if they were licensed or registered under any of
11 the following: article one hundred fifty-three, one hundred fifty-four,
12 or one hundred sixty-three of the education law.
13 § 2. This act shall take effect immediately.

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

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