



MEMORANDUM IN SUPPORT
S.6431 (Brook)/A7405-A (Bronson)

**WE NEED YOUR IMMEDIATE ASSISTANCE! THIS BILL MUST PASS IN THE SENATE
BEFORE LAWMAKERS ADJOURN FOR THE SUMMER!**

This bill would amend the education law, in relation to extending certain exemptions for persons employed as mental health practitioners, psychologists and social workers.

The NYS Council for Community Behavioral Healthcare, representing 105 behavioral health (mental health and substance use disorder/addiction) prevention, treatment, and recovery organizations across New York, **strongly supports this legislation, S.6431/ A.07405-A**. This bill would extend certain exemptions for persons employed as mental health practitioners, psychologists and social workers.

It has been some 20 years since a bill that was passed by the NYS Legislature and signed by the Governor, licensing mental health practitioners and social workers, was enacted. The legislation was deeply flawed, and the mental health and substance use disorder sectors have lived with the negative consequences associated with its' enactment since that time. Uncertainty and questions remain regarding the law, but one thing is certain. If the current workforce exemption sunsets on June 24, 2021, there will be a crisis that slams the brakes on access to care for those New Yorkers impacted by the Opioid pandemic, the COVID-19 pandemic and increased suicide rates in certain age groups.

Long before the COVID-19 pandemic, there were critical workforce shortages and barriers to accessing behavioral health care for adults, children, and families in New York. The unintended consequences of the Law have always had a chilling effect on our ability to recruit and retain qualified staff. *These shortages have been addressed for decades by an exemption to the scope of practice for certain practitioners licensed under Art 163 of the Education Law. The exemption was addressed in Part Y of Chapter 57 of the Laws of 2018 and is due to sunset permanently on June 24, 2021.*

Although required by law, the state agencies and the Legislature has yet to confirm agreement with State Education Department regulations to implement the law. Furthermore, none of the administrative infrastructure to ensure proper compliance with the permanent provisions are in place. The Legislature should enact an extender and address the administrative concerns and scope of practice issues that remain.

The NYS Council believes this legislation is the short-term solution required to avoid a crisis in which access to care is sharply curtailed. **We therefore strongly support this bill, S.6431 (Brook)/ A.07405-A (Harckham) which extends certain exemptions for persons employed as mental health practitioners, psychologists and social workers.**