

May 27, 2022

The undersigned organizations and associations agree that the May 24, 2022 draft of legislation that creates a diagnostic privilege for certain Article 163 practitioners is straightforward, fair and balanced. We also believe this legislation is necessary to address the severe workforce crisis that all points along the substance use disorder and mental health continuum of care is facing.

We applaud the leadership of Assemblymembers Bronson and Glick and Senators Brouk and Stavisky on being committed to resolving a decades long debate about scope of practice for licensed mental health practitioners. We strongly support the formal introduction and enactment of this legislation.

The bill would add diagnostic privileges for licensed mental health counselors, licensed marriage and family therapists and licensed psychoanalysts under Article 163 of the State Education Law. The bill thoroughly ensures sufficient education, training, and supervised experience for the eligible practitioners. The bill recognizes the skill and expertise of the existing practitioner workforce, which has been trained in large part by the community-based organizations we represent. It is the on-the-job training and supervised experience in rendering a diagnosis as well as the development of assessment-based treatment plans that is a hallmark role of community-based organizations. The diagnosis and treatment planning activities are essential to timely and appropriate care for New Yorkers at a moment in time when demand for quality mental health and substance use disorder services has never been more important.

Our organizations request three years, rather than the proposed two, for practitioners currently employed to meet the conditions for the privilege. This request is associated with the realistic availability of post graduate courses and the potential for delays in processing of applications at SED.

The undersigned organization emphatically support this proposal. We will stand behind it and actively work for passage in the remaining days of the legislative session. We are grateful to all the legislative leaders and staff who had a hand in preparing and disseminating this smart proposal.

Respectfully,

Andrea Smyth, The NYS Coalition for Children's Behavioral Health
Lauri Cole, The New York State Council for Community Behavioral Healthcare
Amy Doran, The Coalition for Behavioral Health
Tracy Schneider, The Federation of Mental Health Services