

Report to the Legislature and Executive  
Pursuant to Chapters 130 & 132  
of the Laws of 2010

Appendix C  
Results of Survey of Exempt Programs

# Discussion of exempt agency reports required pursuant to Chapters 130 & 132

Office of the Professions  
New York State Education Department  
July 7, 2011

# Goals for today's meeting

- Review our progress toward meeting the requirements in Chapters 130 and 132
- Provide summary of data collection based on clarifications of restricted activities
- Set out the format for agency reports to be submitted to SED
- Next steps

# Collaboration to clarify practice

- SED and exempt agencies identified 5 key activities that are restricted to those licensed or authorized under Title VIII
- More than 2,200 programs started the survey and 1,452 completed survey
- Results discussed with individual agencies
- Agencies should utilize this data and other sources to develop plans to comply

# Programs with licensed or authorized persons providing restricted services

	Assess/ Evaluate	Diagnose	Psycho- therapy	Assess Based Plg	Other services
LCSW	590	422	497	577	489
LMSW	627	380	494	584	508
MD	585	566	331	498	367
Psychology	411	309	303	362	290
Article 163	331	180	256	289	275
Interns	225	126	170	179	168
Nurse Prac	219	193	114	185	147
PhysAsst	52	44	17	37	29

# Programs with employees in selected titles providing restricted services

	Assess/ Evaluate	Diagnose	Psycho- therapy	ABTP	Other services
*PsyGov	57	44	40	51	45
*CASAC	248	178	164	241	229
CsResAide	75	34	46	71	94
ABAS	133	52	97	143	128
Case Mgr	117	24	32	108	101
Unlic SW	291	128	176	238	226
VocCslr	66	12	23	51	58
CRC	50	25	22	47	41
RecTher.	30	9	11	27	31

# Programs with other employees and non-employees providing restricted services

<b>General titles</b>	Assess/ Evaluate	Diagnose	Psycho- therapy	ABTP	Other services
Behavior Specialist	X	X	X	X	X
Counselor	X	X	X	X	X
Fam Sup/ FuncFamTh	X			X	X
“Psych Asst”	X	X	X	X	X
Rehab Cslr	X		X	X	X
School SW/Psych	X	X	X	X	X
Habilitation Specialist	X		X	X	X

## Total staff in programs responding to survey (scale)

	DOCCS	DOH	OASAS	OCFS	OMH	OPWDD	SOFA	Total
1 to 10	5	17	100	73	138	109	6	448
11 to 25	5	13	91	56	141	73	11	390
26 to 50	2	9	36	38	76	57	2	220
51 to 100	1	4	18	31	35	51	4	144
101 to 200	0	7	3	25	14	46	0	95
200+	3	14	6	11	8	64	1	107
Total	16	64	254	234	412	400	24	1,404 <sub>7</sub>

# Staff in programs providing restricted services

(Excludes DOCCS with 16 programs and 20,475 staff)	Programs	Total Staff	Avg. Staff
Total staff providing any of 5 services	1,371	21,164	15.44
Unlic staff providing any of 5 services	1,340	10,260	7.66
FTE any of 5 services	1,320	16,934	12.83
FTE unlicensed Staff any of 5 services	1,289	8,905	6.91

# Requirement for agency reports

- Education Law requires exempt agency to develop report on utilization of personnel that includes but is not limited to:
  - Identify tasks and functions restricted under law
  - Identify tasks and functions not restricted under law
  - Costs of employing only licensed or authorized personnel (salary & support to staff attaining licensure)
  - Action plan to detail measures by which agency shall, no later than 7/1/2013, comply with licensure laws and recommend alternative pathways to licensure

# Format for report to be submitted by agencies exempt until 2013

In submitting information to the SED, it is suggested that each agency utilize a template that includes the following:

- I. Introduction and Overview
- II. Snapshot of Staffing
- III. Costs
- IV. Implementation and Conclusions

Refer to handout for more detailed information

# Next steps to comply with laws

- Agencies to develop reports and work-plans and submit to SED
- SED will review information and seek clarification from agencies as necessary
- SED will develop draft report with recommendations for changes in laws
- SED will consult with identified stakeholders and agencies prior to completion of report
- SED will submit report to Legislature and Governor by July 1, 2012 with recommendations
  - exempt agencies may submit statements or alternatives