

Agenda
State Board for Mental Health
Practitioners

Friday, March 13, 2026
10:00 a.m.12:30 p.m.

Sites:

Albany

Education Building EB 150 1st floor Albany, NY

NYC

1411 Broadway 10th Floor

Syracuse OPD Office

333 East Washington Street, Suite 211 Syracuse, New York

Rochester OPD office

NYS Department of Education Access-VR

109 S. Union Street 2nd Floor Rochester, New York 14607

To attend the Mental Health Practitioners Board meeting, let the board office know by emailing Kayla.Apple@nysed.gov

to add your name to the security list of the site you choose.

“Members of the public may attend and observe the meeting. Please note that due to security restrictions, you are asked to arrive 15 minutes earlier if possible than the start of the meeting.”

Thank you!

***Agenda and Discussion**

1. Welcome and review of Agenda.
2. Introduction
3. Review of 10/24/2025, meeting minutes
4. Executive Secretary's Report
 - a. Staffing and Processing
 - b. Board member recruitment.
5. Legislation and Regulation concerning Mental Health

S6999, A780- AN ACT to amend the education law, in relation to enacting the "Supervising Upcoming Professionals for Practice in Official Roles in Therapy (SUPPORT) act"

S1001- AN ACT to amend the insurance law, in relation to including outpatient care provided by creative arts therapists in certain insurance policies

A9321- AN ACT to amend the education law, in relation to supervision by certain marriage and family therapists and mental health counselors

8183- AN ACT to amend the education law, in relation to requirements for certain mental health practitioners to be issued privilege to diagnose and develop assessment-based treatment relation to requirements for be issued privilege to diagnose plans

6. Discussion Topics

- a. Progress on processing Diagnostic Privilege
- b. Education requirements and grandfathering

7. Other business:

8. Adjournment

The University of the State of New York
State Education Department
Office of the Professions

**State Board for Mental Health Practitioners
Meeting Minutes (Draft)**

Friday, October 24, 2025

This meeting was held in-person via WebEx at the following locations:

State Education Building, 89 Washington Avenue, EB 146 1st Floor, Albany, NY 12234
Office of the Professions, 1411 Broadway, 10th Floor, New York, NY 10018

Board members present:

Susan Boxer Kappel LCAT
Smita Bhatt, MD
Melissa Dukofsky, LMHC, LCAT
Angela Musolino, LP
Jasmin Thomas, Public Member
Sharon Marianetti-Leeper LMFT, LCAT

Staff present:

Evan Seiden, Executive Secretary
Kate Letzelter, Associate in Professional Education
Michele Govertsen, Senior Administrative Analyst
Henry Phillips, Education Program Assistant 1
Annie Connors, Education Program Trainee 2

Welcome and Review of the Agenda

Executive Secretary called the meeting to order at 10:11 AM. Board members and staff introduced themselves. Public members and stakeholders observing the meeting were welcomed.

Review of the June 6, 2025, Board Meeting Minutes

The minutes of the June 6, 2025, Board meeting were reviewed. There were no questions or changes requested. There was not a quorum of members present. Minutes kept in draft.

Executive Secretary's Report

Reviewed board office staffing. New Education Program Assistant 1 trainee Annie Connors has come on board. Board Office now has 3 evaluators. Processing volume should increase accordingly.

Volume of applications has increased.

Board Office is staying mindful of application dates.

The State Board is actively in the process of recruiting new members – looking 1 Psychoanalyst, and one LMHC or LMFT. Nomination forms for potential Board members are being reviewed, and additional candidates continue to be recruited. Board nomination forms can be found on the NYSED website.

Presentation – Professional Assistance Program (PAP) from Director Jennifer Granato

Director Jennifer Granato gave a presentation on the PAP and its' duties. The PAP protects the public and supports professionals in recovery.

- PAP program is an alternative to professional discipline program.
- Professionals must not have caused patient harm.

Legislation and Regulation affecting Mental Health Practice

Executive Secretary made Board members aware of two bills in State Legislature.

A8484 An act to amend the education law, in regulating the use of artificial intelligence in the provision of therapy and psychotherapy services.

- Board discussed details of the bill – the possible merits and drawbacks, implication for the public, etc.
- Board members discussed their professional and personal experiences with AI related to the field of psychotherapy.

A8045 An act to amend chapter 230 of the laws of 2022, amending the education law relating to diagnostic privilege, in relation to extending the effectiveness of certain provisions thereof

- This legislation was signed into law by the Governor mid-June 2025.
- Extends the diagnostic exemption period for licensees to 6/24/2027.

Discussion Topics

Progress Related to Diagnostic Privilege

- New evaluator is helping with limited permits and will free up time for other evaluators to process Diagnostic Privilege experience reviews.

Ethics Course

Board members are required to take Ethics training course. Members were given information on training course. Office of Human Resources Management plans to have monthly virtual offerings for convenience.

Other Business

Scheduling for future board meetings was discussed

Closing Remarks and Adjournment

Executive Secretary thanked the Board for their participation in the meeting. The meeting was adjourned at 11:12am.

STATE OF NEW YORK

6999

2025-2026 Regular Sessions

IN SENATE

March 28, 2025

Introduced by Sen. STAVISKY -- 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 enacting the "Supervising Upcoming Professionals for Practice in Official Roles in Therapy (SUPPORT) act"

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

1 Section 1. This act shall be known and may be cited as the "Supervis-
2 ing Upcoming Professionals for Practice in Official Roles in Therapy
3 (SUPPORT) act".

4 § 2. Paragraph (c) of subdivision 2 of section 7704 of the education
5 law, as amended by chapter 130 of the laws of 2010, is amended to read
6 as follows:

7 (c) Experience: have at least three years full-time supervised post-
8 graduate clinical social work experience in diagnosis, psychotherapy,
9 and assessment-based treatment plans, or its part-time equivalent,
10 obtained over a continuous period not to exceed six years, under the
11 supervision, satisfactory to the department, of a psychiatrist, a
12 licensed psychologist, [or] a licensed clinical social worker in a
13 facility setting or other supervised settings approved by the department
14 or a mental health practitioner who has been granted the privilege to
15 diagnose and develop assessment-based treatment plans under article one
16 hundred sixty-three of this title. Satisfactory experience obtained in
17 an entity operating under a waiver issued by the department pursuant to
18 section sixty-five hundred three-a of this title may be accepted by the
19 department, notwithstanding that such experience may have been obtained
20 prior to the effective date of such section sixty-five hundred three-a
21 and/or prior to the entity having obtained a waiver. The department may,
22 for good cause shown, accept satisfactory experience that was obtained
23 in a setting that would have been eligible for a waiver but which has
24 not obtained a waiver from the department or experience that was

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

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S. 6999

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1 obtained in good faith by the applicant under the belief that appropri-
2 ate authorization had been obtained for the experience, provided that
3 such experience meets all other requirements for acceptable experience;
4 § 3. This act shall take effect immediately.

STATE OF NEW YORK

1001

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. BROUK, FERNANDEZ, PARKER, RIVERA, SKOUFIS, WEBB --
read twice and ordered printed, and when printed to be committed to
the Committee on Insurance

AN ACT to amend the insurance law, in relation to including outpatient
care provided by creative arts therapists in certain insurance poli-
cies

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

1 Section 1. Item (ii) of subparagraph (A) of paragraph 35 of subsection
2 (i) of section 3216 of the insurance law, as amended by chapter 62 of
3 the laws of 2023, is amended to read as follows:
4 (ii) where the policy provides coverage for physician services, such
5 policy shall include benefits for outpatient care provided by a psychia-
6 trist or psychologist licensed to practice in this state, a licensed
7 clinical social worker within the lawful scope of [~~his or her~~] such
8 licensed clinical social worker's practice, who is licensed pursuant to
9 article one hundred fifty-four of the education law, a mental health
10 counselor, marriage and family therapist, creative arts therapist, or
11 psychoanalyst licensed pursuant to article one hundred sixty-three of
12 the education law, a nurse practitioner licensed to practice in this
13 state, or a professional corporation or university faculty practice
14 corporation thereof. Nothing herein shall be construed to modify or
15 expand the scope of practice of a mental health counselor, marriage and
16 family therapist, creative arts therapist, or psychoanalyst licensed
17 pursuant to article one hundred sixty-three of the education law.
18 Further, nothing herein shall be construed to create a new mandated
19 health benefit.
20 § 2. Subparagraph (A) of paragraph 4 of subsection (1) of section 3221
21 of the insurance law, as amended by chapter 62 of the laws of 2023, is
22 amended to read as follows:

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

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S. 1001

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1 (A) Every insurer delivering a group policy or issuing a group policy
2 for delivery, in this state, that provides reimbursement for psychiatric
3 or psychological services or for the diagnosis and treatment of mental
4 health conditions, however defined in such policy, by physicians,
5 psychiatrists or psychologists, shall provide the same coverage to
6 insureds for such services when performed by a licensed clinical social
7 worker, within the lawful scope of [~~his or her~~] such licensed clinical
8 social worker's practice, who is licensed pursuant to article one
9 hundred fifty-four of the education law and mental health counselors,
10 marriage and family therapists, creative arts therapists, and psychoana-
11 lysts licensed pursuant to article one hundred sixty-three of the educa-
12 tion law, within the lawful scope of [~~his or her~~] such mental health
13 counselor's, marriage and/or family therapist's, creative arts thera-
14 pist's, or psychoanalyst's practice. Nothing herein shall be construed
15 to modify or expand the scope of practice of a mental health counselor,
16 marriage and family therapist, creative arts therapist, or psychoanalyst
17 licensed pursuant to article one hundred sixty-three of the education
18 law. Further, nothing herein shall be construed to create a new mandated
19 health benefit.

20 § 3. Item (ii) of subparagraph (A) of paragraph 5 of subsection (1) of
21 section 3221 of the insurance law, as amended by chapter 62 of the laws
22 of 2023, is amended to read as follows:

23 (ii) where the policy provides coverage for physician services, it
24 shall include benefits for outpatient care provided by a psychiatrist or
25 psychologist licensed to practice in this state, or a mental health
26 counselor, marriage and family therapist, creative arts therapist, or
27 psychoanalyst licensed pursuant to article one hundred sixty-three of
28 the education law, or a licensed clinical social worker within the
29 lawful scope of [~~his or her~~] such licensed clinical social worker's
30 practice, who is licensed pursuant to article one hundred fifty-four of
31 the education law, a nurse practitioner licensed to practice in this
32 state, or a professional corporation or university faculty practice
33 corporation thereof. Nothing herein shall be construed to modify or
34 expand the scope of practice of a mental health counselor, marriage and
35 family therapist, creative arts therapist, or psychoanalyst licensed
36 pursuant to article one hundred sixty-three of the education law.
37 Further, nothing herein shall be construed to create a new mandated
38 health benefit.

39 § 4. Paragraph 2 of subsection (g) of section 4303 of the insurance
40 law, as amended by chapter 62 of the laws of 2023, is amended to read as
41 follows:

42 (2) where the contract provides coverage for physician services such
43 contract shall provide benefits for outpatient care provided by a
44 psychiatrist or psychologist licensed to practice in this state, or a
45 mental health counselor, marriage and family therapist, creative arts
46 therapist, or psychoanalyst licensed pursuant to article one hundred
47 sixty-three of the education law, or a licensed clinical social worker
48 within the lawful scope of [~~his or her~~] such licensed clinical social
49 worker's practice, who is licensed pursuant to article one hundred
50 fifty-four of the education law, a nurse practitioner licensed to prac-
51 tice in this state, or professional corporation or university faculty
52 practice corporation thereof. Nothing herein shall be construed to modi-
53 fy or expand the scope of practice of a mental health counselor,
54 marriage and family therapist, creative arts therapist, or psychoanalyst
55 licensed pursuant to article one hundred sixty-three of the education

S. 1001

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1 law. Further, nothing herein shall be construed to create a new mandated
2 health benefit.

3 § 5. Subsection (n) of section 4303 of the insurance law, as amended
4 by chapter 62 of the laws of 2023, is amended to read as follows:

5 (n) Every health service or medical expense indemnity corporation
6 issuing a group contract pursuant to this section or a group remittance
7 contract for delivery in this state which contract provides reimburse-
8 ment to subscribers or physicians, psychiatrists or psychologists for
9 psychiatric or psychological services or for the diagnosis and treatment
10 of mental health conditions, however defined in such contract, must
11 provide the same coverage to persons covered under the group contract
12 for such services when performed by a licensed clinical social worker,
13 within the lawful scope of [~~his or her~~] such licensed clinical social
14 worker's practice, who is licensed pursuant to article one hundred
15 fifty-four of the education law and a mental health counselor, marriage
16 and family therapist, creative arts therapist, or psychoanalyst licensed
17 pursuant to article one hundred sixty-three of the education law. Noth-
18 ing herein shall be construed to modify or expand the scope of practice
19 of a mental health counselor, marriage and family therapist, creative
20 arts therapist, or psychoanalyst licensed pursuant to article one
21 hundred sixty-three of the education law. Further, nothing herein shall
22 be construed to create a new mandated health benefit. The state board
23 for social work shall maintain a list of all licensed clinical social
24 workers qualified for reimbursement under this subsection. The state
25 board for mental health practitioners shall maintain a list of all
26 licensed mental health counselors, marriage and family therapists, crea-
27 tive arts therapists, or psychoanalysts qualified for reimbursement
28 under this subsection.

29 § 6. This act shall take effect immediately and shall apply to all
30 policies and contracts issued, renewed, modified, altered or amended on
31 or after such effective date.

STATE OF NEW YORK

9321

2025-2026 Regular Sessions

IN ASSEMBLY

December 10, 2025

Introduced by M. of A. BERGER -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to supervision by certain marriage and family therapists and mental health counselors

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

1 Section 1. Paragraph (c) of subdivision 3 of section 8402 of the
2 education law, as amended by chapter 130 of the laws of 2010, is amended
3 to read as follows:

4 (c) Experience: An applicant shall complete a minimum of three thou-
5 sand hours of post-master's supervised experience relevant to the prac-
6 tice of mental health counseling satisfactory to the board and in
7 accordance with the commissioner's regulations. A licensed and regis-
8 tered marriage and family therapist may provide post-master's super-
9 vision if the licensed marriage and family therapist, at minimum, meets
10 the following requirements (i) is licensed and registered for at least
11 three years, (ii) has been awarded the diagnostic privilege set forth in
12 section eighty-four hundred one-a of this article, and (iii) has
13 completed a total of three semester hours or thirty-six hours of contin-
14 uing education in clinical counseling supervision and professional
15 orientation and ethics in mental health counseling as determined by the
16 department. Satisfactory experience obtained in an entity operating
17 under a waiver issued by the department pursuant to section sixty-five
18 hundred three-a of this title may be accepted by the department,
19 notwithstanding that such experience may have been obtained prior to the
20 effective date of such section sixty-five hundred three-a and/or prior
21 to the entity having obtained a waiver. The department may, for good
22 cause shown, accept satisfactory experience that was obtained in a
23 setting that would have been eligible for a waiver but which has not
24 obtained a waiver from the department or experience that was obtained in
25 good faith by the applicant under the belief that appropriate authori-

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[-] is old law to be omitted.

LBD14150-01-5

A. 9321

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1 zation had been obtained for the experience, provided that such experi-
2 ence meets all other requirements for acceptable experience;

3 § 2. Paragraph (c) of subdivision 3 of section 8403 of the education
4 law, as amended by chapter 130 of the laws of 2010, is amended to read
5 as follows:

6 (c) Experience: The completion of at least one thousand five hundred
7 client contact hours of supervised clinical experience, by persons hold-
8 ing a degree from a master's or doctoral program, or the substantial
9 equivalent, in accordance with the commissioner's regulations or the
10 completion of at least one thousand five hundred client hours of super-
11 vised post-master's clinical experience in marriage and family therapy
12 satisfactory to the department in accordance with the commissioner's
13 regulations. A licensed and registered mental health counselor may
14 provide supervision if the licensed mental health counselor, at minimum,
15 meets the following requirements (i) is licensed and registered for at
16 least three years, (ii) has been awarded the diagnostic privilege set
17 forth in section eighty-four hundred one-a of this article, and (iii)
18 has completed a total of three semester hours or thirty-six hours of
19 continuing education in clinical counseling supervision and professional
20 orientation and ethics in marriage and family therapy as determined by
21 the department. Satisfactory experience obtained in an entity operating
22 under a waiver issued by the department pursuant to section sixty-five
23 hundred three-a of this title may be accepted by the department,
24 notwithstanding that such experience may have been obtained prior to the
25 effective date of such section sixty-five hundred three-a and/or prior
26 to the entity having obtained a waiver. The department may, for good
27 cause shown, accept satisfactory experience that was obtained in a
28 setting that would have been eligible for a waiver but which has not
29 obtained a waiver from the department or experience that was obtained in
30 good faith by the applicant under the belief that appropriate authori-
31 zation had been obtained for the experience, provided that such experi-
32 ence meets all other requirements for acceptable experience;

33 § 3. This act shall take effect on the one hundred twentieth day after
34 it shall have become a law.

STATE OF NEW YORK

8183--A

2025-2026 Regular Sessions

IN ASSEMBLY

May 5, 2025

Introduced by M. of A. BRONSON -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requirements for certain mental health practitioners to be issued privilege to diagnose and develop assessment-based treatment plans

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

1 Section 1. Paragraphs (d) and (e) of subdivision 1 of section 8401-a
2 of the education law, as added by chapter 230 of the laws of 2022, are
3 amended to read as follows:

4 (d) Experience: ~~[(i)]~~ Have completed at least two thousand hours of
5 supervised, direct client contact that shall include, but not be limited
6 to, diagnosis, psychotherapy and the development of assessment-based
7 treatment plans, as defined in section eighty-four hundred one of this
8 article, satisfactory to the department.

9 ~~[(ii) Subparagraph (i) of this paragraph shall not apply to a mental
10 health counselor, marriage and family therapist, or psychoanalyst who
11 was licensed prior to June twenty-fourth, two thousand twenty-four, and
12 who provides attestation, on a form prescribed by the department, from a
13 supervisor in a facility setting or other supervised setting approved by
14 the department under supervision in accordance with the commissioner's
15 regulations, that such licensee has at least three years of experience
16 engaged in direct client contact that shall include diagnosis, psychoth-
17 erapy and the development of assessment-based treatment plans. Such
18 licensee shall submit an application to the department within three
19 years of the effective date of this section.]~~

20 (e) ~~[Fee: Pay a fee of one hundred seventy-five dollars for issuance
21 of a privilege to diagnose and develop assessment-based treatment
22 plans.]~~ Alternate requirements for certain practitioners. Notwithstand-
23 ing paragraphs (c) and (d) of this subdivision, a mental health counse-

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[-] is old law to be omitted.

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A. 8183--A

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1 lor, marriage and family therapist, or psychoanalyst licensed prior to
2 June twenty-fourth, two thousand twenty-seven, shall be granted the
3 privilege to diagnose and develop assessment-based treatment plans if
4 such mental health counselor, marriage and family therapist, or psycho-
5 analyst:

6 (i) files an application with the department; and

7 (ii) is licensed and registered as a mental health counselor, marriage
8 and family therapist, or psychoanalyst, and:

9 (1) provides verification of twelve credit hours of clinical course-
10 work, which includes clinical content that prepares the applicant to
11 diagnose and develop assessment-based treatment plans, provide clinical
12 treatment to clients, and practice with diverse populations, from a
13 college or university acceptable to the department;

14 (2) provides verification of a minimum of two years of employment as a
15 licensed mental health counselor, marriage and family therapist, or
16 psychoanalyst by a licensed supervisor or colleague on forms acceptable
17 to the department, in a program or service operated, regulated, funded,
18 or approved by the department of mental hygiene, the office of children
19 and family services, the office of temporary and disability assistance,
20 the department of corrections and community supervision, the state
21 office for the aging, the department of health, or a local governmental
22 unit as such term is defined by section 41.03 of the mental hygiene law,
23 or a social services district as defined by section sixty-one of the
24 social services law; or

25 (3) provides verification of being licensed as a mental health counse-
26 lor, marriage and family therapist, or psychoanalyst for a minimum of
27 two years, and;

28 (A) provides documentation of at least six credit hours of clinical
29 coursework, which includes clinical content that prepares the applicant
30 to diagnose and develop assessment-based treatment plans, provide clin-
31 ical treatment to clients, and practice with diverse populations, from a
32 college or university acceptable to the department; or

33 (B) provides documentation of at least twelve hours of continuing
34 education in clinical coursework, which includes clinical content that
35 prepares the applicant to diagnose and develop assessment-based treat-
36 ment plans, provide clinical treatment to clients, and practice with
37 diverse populations, subject to section eighty-four hundred twelve of
38 this article.

39 § 2. This act shall take effect immediately.