

Agenda
State Board for Mental Health
Practitioners

Thursday, June 11th, 2026
1:00pm -3:30pm

Sites:
Albany (In Person)
Education Building EB 201 2nd floor Albany, NY

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

to add your name to the security list.

"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!

Meeting of the Board of Mental Health Practitioners

1:00PM -3:00 PM

Discussion

1. Welcome and review of Agenda.
2. Introduction
3. Review of March 13th, 2026, meeting minutes
4. Executive Secretary's Report
 - a. Staffing and Processing
 - b. Board member recruitment.
5. Legislation and Regulation concerning Mental Health

S8899-A9321 AN ACT to amend the education law, in relation to supervision by certain marriage and family therapists and mental health counselors.

S9123-A9566 An Act to extend the duration of limited permits to practice licensed clinical social work.

6. Discussion Topics

- a. Progress on Diagnostic Privilege, e i.e. education requirements and grandfathering.

7. Other business:

8. Adjournment

Executive Session

3:00 PM- 3:30 PM

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, March 13, 2026

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

- State Education Building, 89 Washington Avenue, EB 150 1st Floor, Albany, NY 12234
- Office of the Professions, 1411 Broadway, 10th Floor, New York, NY 10018
- 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

Board members present:

Susan Boxer Kappel, Chair
Melissa Dukofsky, LMHC, LCAT
Angela Musolino?
Jasmin Thomas, Public Member
“Dr. Bava” – public member?
Christopher Smith - member
Tracey Schimpff
Helena Boersma - member
Denise Murphy McGraw
Sharon Marianetti-Leeper - member
Jenny Speice
Theresa Cosgrove

Staff present:

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

Welcome and Review of the Agenda

Executive Secretary called the meeting to order at 10:08 AM. Board members and staff introduced themselves. Public members and stakeholders observing the meeting were welcomed.

Review of the October 24, 2025, Board Meeting Minutes

The minutes of the October 24, 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. Annie Connors has come on board as of October 2025 as an evaluator for MHP. Board Office will be interviewing for third evaluator next week. Processing is currently 8 weeks out, but volume will increase once the third processor is hired and trained. Board Office is staying mindful of application dates.

The State Board is actively in the process of recruiting new members – looking 1 Psychoanalyst, 1 LMHC and 1 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.

There is a need for more public members.

Discipline and being available to OPD: reminder that this is a requirement of a Board Member to volunteer for OPD panels

Legislation and Regulation affecting Mental Health Practice

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

- **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”.
 - Therapy Support Act. LMHCs with the D-Priv proposed to supervise LMSW's towards LCSW
 - Discussion that an LMSW cannot be hired by an LMHC, so this would need to be addressed
 - Scope of Practice discussion; some present are unclear what aspects are outside of scope of practice once DP is achieved
 - Discussion that educational focus does differ between the professions. There is enough outside of the scope of knowledge/expertise in the Social Work field that supervision of MHP for SW professionals would be challenging
 - Question: who is bringing this Act forward? Senator Stavisky and Berger's staff on behalf of one of his constituents. Berger's goal is cross-supervision
 - Question: is there a shortage of supervisors? There are a lot of responsibilities of being a supervisor. Thoughts that perhaps we need mandatory supervisory training
 - Discussion: Could be challenging for a new grad/new professional to manage the different perspectives across disciplines

- Discussion: This may help in rural areas of the state where it might be difficult to find someone of the profession to supervise.
- A9321 - Allowing supervision by certain LMFTs and LMHCs (cross-supervision across professions)
 - Discussion that this is perhaps a benefit to the public to allow for greater cross-supervision to support greater growth in the field
 - Discussion on concerns for professionals operating beyond their scope of practice and acknowledgement that there is potential for harm when one is practicing beyond scope
- S1001 – An act to amend the insurance law in relation to including outpatient care provided by LCATs.
 - Discussions on the variances in insurance contracts
 - Discussions on telehealth and insurance coverage
- 8183 - act to amend education law for the education & experience requirements to be issued the Diagnostic Privilege
 - Discussion on amending verbiage to include Psychoanalytic Institutes
 - Discussion on equivalency of continuing education vs. graduate level coursework
 - Discussion on alternate pathways to achieve education and experience requirement discussed

Discussion Topics

Progress Related to Diagnostic Privilege

- Diagnostic Privilege applications are being reviewed and processed – currently 6-8 weeks out

Education Requirements and Grandfathering

- No current movement.

Other Business

Scheduling for future board meetings was discussed – meeting dates and topics. Tentative date of June 5th (in-person in Albany) was discussed. The June board meeting proposed to be held later in the afternoon to accommodate travel time for board members.

Closing Remarks and Adjournment

Executive Secretary thanked the Board for their participation in the meeting. The meeting was adjourned at 12:05pm.

S8899 STAVISKY Same as A 9321 Berger

ON FILE: 01/14/26 Education Law

TITLE...Relates to supervision by certain marriage and family therapists and mental health counselors

01/14/26 REFERRED TO HIGHER EDUCATION

05/05/26 1ST REPORT CAL.923

05/06/26 2ND REPORT CAL.

05/07/26 ADVANCED TO THIRD READING

05/13/26 PASSED SENATE

05/13/26 DELIVERED TO ASSEMBLY

05/13/26 referred to higher education

05/20/26 substituted for a9321

05/20/26 ordered to third reading rules cal.151

05/20/26 passed assembly

05/20/26 returned to senate

STAVISKY, SUTTON

Amd §§8402 & 8403, Ed L

Provides for supervision by certain marriage and family therapists and mental health counselors who meet certain experience requirements.

STATE OF NEW YORK

8899

IN SENATE

January 14, 2026

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

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

LBD14150-01-5

S. 8899

2

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

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

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

S9123 SUTTON Same as A 9566-A Berger

ON FILE: 02/05/26 Education Law

TITLE....Relates to extending the duration of limited permits to practice licensed clinical social work and licensed master social work

02/05/26 REFERRED TO HIGHER EDUCATION

05/05/26 1ST REPORT CAL.924

05/06/26 2ND REPORT CAL.

05/07/26 ADVANCED TO THIRD READING

05/13/26 SUBSTITUTED BY A9566A

A09566 Berger AMEND=A

01/14/26 referred to higher education

01/30/26 amend and recommit to higher education

01/30/26 print number 9566a

02/05/26 reported referred to ways and means

05/05/26 reported

05/07/26 advanced to third reading cal.473

05/11/26 passed assembly

05/11/26 delivered to senate

05/11/26 REFERRED TO HIGHER EDUCATION

05/13/26 SUBSTITUTED FOR S9123

05/13/26 3RD READING CAL.924

05/13/26 PASSED SENATE

05/13/26 RETURNED TO ASSEMBLY

SUTTON

Amd §7705, Ed L

Extends the duration of limited permits to practice licensed clinical social work and use the title licensed clinical social worker, or practice licensed master social work and use the title licensed master social worker from twelve to twenty-four months with the ability to be renewed for up to two additional one-year periods.

STATE OF NEW YORK

9123

IN SENATE

February 5, 2026

Introduced by Sen. SUTTON -- 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 extending the duration of limited permits to practice licensed clinical social work and licensed master social work

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

1 Section 1. Subdivision 1 of section 7705 of the education law, as
2 amended by chapter 230 of the laws of 2004, is amended to read as
3 follows:

4 1. On recommendation of the board, the department may issue a limited
5 permit to practice licensed clinical social work and use the title
6 licensed clinical social worker, or to practice licensed master social
7 work and use the title licensed master social worker to an applicant who
8 has met all requirements for licensure as a licensed master social work-
9 er or a licensed clinical social worker except those relating to the
10 examination and provided that the individual is under the general super-
11 vision of a licensed master social worker or a licensed clinical social
12 worker, as determined by the department. This limited permit shall be
13 valid for a period of not more than [~~twelve~~] twenty-four months, and
14 such limited permits may be renewed, at the discretion of the depart-
15 ment, for up to two additional one-year periods.

16 § 2. This act shall take effect on the one hundred eightieth day after
17 it shall have become a law. Effective immediately, the addition, amend-
18 ment and/or repeal of any rule or regulation necessary for the implemen-
19 tation of this act on its effective date are authorized to be made and
20 completed on or before such effective date.

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

LBD14175-03-6

1. For issuance of a privilege to diagnose and develop assessment-based treatment plans, as defined in section eighty-four hundred one of this article, the applicant shall fulfill the following requirements:
 - a. Application: File an application with the department.
 - b. License: Be licensed and registered as a mental health counselor, marriage and family therapist, or a psychoanalyst in the state.
 - c. Education: Verify the completion of a sixty semester hour master's degree or higher, or the clock hour equivalent program of study in a psychoanalytic institute, that includes completion of a core curriculum which includes at least twelve semester hours or clock hour equivalent of clinical courses that prepares the applicant to diagnose and develop assessment-based treatment plans acceptable to the department. A person who has received a master's or higher degree during which they did not complete the required hours, may satisfy such requirement by completing the equivalent post-graduate courses in accordance with the commissioner's regulations.
 - d. Experience:
 - i. Have completed at least two thousand hours of supervised, direct client contact that shall include, but not be limited to, diagnosis, psychotherapy and the development of assessment-based treatment plans, as defined in section eighty-four hundred one of this article, satisfactory to the department.
 - ii. Subparagraph (i) of this paragraph shall not apply to a mental health counselor, marriage and family therapist, or psychoanalyst who was licensed prior to June twenty-fourth, two thousand twenty-four, and who provides attestation, on a form prescribed by the department, from a supervisor in a facility setting or other supervised setting approved by the department under supervision in accordance with the commissioner's regulations, that such licensee has at least three years of experience engaged in direct client contact that shall include diagnosis, psychotherapy and the development of assessment-based treatment plans. Such licensee shall submit an application to the department within three years of the effective date of this section.
 - e. Fee: Pay a fee of one hundred seventy-five dollars for issuance of a privilege to diagnose and develop assessment-based treatment plans.
2. A mental health counselor, marriage and family therapist or psychoanalyst who engages in diagnosis and the development of assessment-based treatment plans without a privilege may be charged with professional misconduct under section sixty-five hundred nine of this title.
3. A privilege issued under this section shall be valid for the life of the holder, unless revoked, annulled, or suspended by the board of regents. Such a privilege shall be subject to the same oversight and disciplinary provisions as licenses issued under this title. The holder of a privilege issued under this section shall register with the department as a privilege holder in the same manner and subject to the same provisions as required of a licensee pursuant to section sixty-five hundred two of this title, provided that, at the time of each registration, the privilege holder shall certify that he or she continues to meet the requirements for the privilege set forth in this section. The fee for such registration shall be one hundred seventy-five dollars. The registration period for a privilege holder shall be coterminous with his or her registration under this article.

