

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

Appendix E
Results of Requests for
Public Comments on Proposals

Appendix E

Agency proposals and results of public comments

This document provides the proposals from each of the exempt agencies, along with the Survey Monkey results. The respondents had the ability to pick and choose the proposals to which he/she reacted, so that a large number of individuals skipped entire sections of the survey. These are reflected in the total results for each item.

Office of Alcohol and Substance Abuse Services (OASAS) #1

While Credentialed Alcoholism & Substance Abuse Counselors (CASAC) and CASAC Trainees are permanently exempt from the restrictions placed on unlicensed direct care staff, Chapters 130 and 132 of the Laws of 2010 may inadvertently “choke off” the pipeline of entry level counselors who are preparing to become CASACs.

To ensure that entry level counselors who pursue a CASAC in New York State will have the ability to earn qualifying work experience as counselors, it will be necessary for OASAS to obtain an expanded exemption. Such an exemption should require sufficient oversight and supervision of services provided by entry level counselors while ensuring that they have “hands on” practical training in the core counseling performance domains.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
1. Do you agree with the Agency's recommendation?	57 (26%)	58 (26%)	15 (6%)	29 (13%)	62 (28%)	219 (100%)	863
2. The Agency's recommendation is necessary to protect the public	51 (23%)	46 (21%)	22 (10%)	39 (18%)	61 (28%)	217 (100%)	865
3. The Agency's recommendation adequately protects the public	44 (20%)	39 (18%)	40 (18%)	32 (14%)	63 (29%)	216 (100%)	866
4. It is important to implement the Agency's recommendation	49 (23%)	45 (21%)	26 (12%)	30 (14%)	62 (29%)	210 (100%)	872
5. The Agency's recommendation is an affordable approach to providing care	46 (21%)	37 (17%)	54 (25%)	28 (13%)	47 (22%)	211 (100%)	871
6. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	40 (19%)	33 (15%)	20 (43%)	38 (18%)	57 (27%)	209 (100%)	873
7. The Agency's recommendation will	40 (18%)	40 (18%)	43 (20%)	41 (19%)	51 (23%)	214 (100%)	868

increase the public's access to professional services							
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Open-ended Question (comments are accessible online)	Answered Question	Skipped question
8. What changes would you make in the agency's recommendation?	86	996
9. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	92	990
10. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	61	1,021

OASAS #2

Building on the model developed by the Federal Substance Abuse and Mental Health Services Administration (SAMHSA) in 2010, OASAS will look to promulgate a Scope of Practice framework for substance abuse counselors who work in its service delivery system. The framework currently under development would authorize “permitted activities” for counselors, based on education level achieved, professional credential or license status, and qualifying work experience.

The Scope of Practice framework will be guided by the licensure standards enacted by SED, while incentivizing providers to work with/support unlicensed staff to become credentialed as CASACs or licensed as social workers or mental health practitioners.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
11. Do you agree with the Agency's recommendation?	41 (24%)	69 (34%)	17 (10%)	14 (8%)	39 (23%)	169 (100%)	913
12. The Agency's recommendation adequately protects the public	42 (24%)	47 (27%)	31 (18%)	15 (8%)	37 (21%)	171 (100%)	911
13. It is important to implement the Agency's recommendation	42 (25%)	49 (29%)	22 (13%)	18 (10%)	38 (22%)	168 (100%)	914
14. The Agency's recommendation is an affordable approach to providing care	37 (22%)	36 (21%)	47 (28%)	19 (11%)	28 (16%)	166 (100%)	916
15. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional	36 (21%)	37 (22%)	39 (23%)	20 (12%)	34 (20%)	165 (100%)	917

services							
16. The Agency's recommendation will increase the public's access to professional services	36 (21%)	39 (23%)	36 (21%)	24 (14%)	32 (19%)	166 (100%)	916

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
17. What changes would you make in the agency's recommendation?	58	1,024
18. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	55	1,027
19. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	29	1,053

OASAS #3

OASAS will continue to work with SED to more clearly define the parameters of the multi-disciplinary team model and how it can serve as the solution for the publicly-funded systems to comply with the State's licensure standards.

By allowing unlicensed personnel to work with and assist in the delivery of services and, where appropriate, recommend treatment options, subject to the direct supervision and sign off by licensed practitioners, the multi-disciplinary team offers a proven, cost effective and viable alternative to the traditional private practice model.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
20. Do you agree with the Agency's recommendation?	39 (23%)	41 (24%)	13 (7%)	21 (12%)	55 (32%)	169 (100%)	913
21. The Agency's recommendation adequately protects the public	35 (29%)	41 (24%)	16 (9%)	24 (14%)	53 (31%)	169 (100%)	913
22. It is important to implement the Agency's recommendation	38 (22%)	38 (22%)	19 (11%)	18 (10%)	54 (32%)	167 (100%)	915
23. The Agency's recommendation is an affordable approach to providing care	38 (22%)	33 (19%)	36 (21%)	18 (10%)	45 (26%)	169 (100%)	913
24. The Agency's recommendation	36 (21%)	31 (18%)	27 (16%)	27 (16%)	48 (28%)	168 (100%)	914

balances licensure to protect the public with controlling the cost of professional services							
25. The Agency's recommendation will increase the public's access to professional services	36 (21%)	36 (21%)	26 (15%)	26 (15%)	44 (26%)	167 (100%)	915

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
26. What changes would you make in the agency's recommendation?	51	1,031
27. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	60	1,022
28. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	40	1,042

OASAS #4

To minimize disruption in the delivery of chemical dependence and compulsive gambling services and provide greater opportunity for the provider agencies in the OASAS system to transition their current staffing to one that is consistent with the provisions of Chapter 132 of the Laws of 2010, OASAS recommends:

- Expanding the permanent exemption to other OASAS credentialed professionals (e.g., Prevention Professionals, Compulsive Gambling Counselors, etc.)
- Amending the Education Law to allow other unlicensed OASAS "Qualified Health Professionals" to continue serving as part of the OASAS multi-disciplinary team.
- Amending the Education Law for temporary grand parenting into existing professions for qualified individuals who meet specified education, experience or credential requirements

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
29. Do you agree with the Agency's	34 (21%)	32 (20%)	8 (5%)	28 (17%)	55 (35%)	156 (100%)	926

recommendation?							
30. The Agency's recommendation adequately protects the public	31 (20%)	32 (20%)	9 (5%)	32 (20%)	52 (33%)	155 (100%)	927
31. It is important to implement the Agency's recommendation	33 (21%)	31 (20%)	13 (8%)	23 (15%)	54 (35%)	153 (100%)	929
32. The Agency's recommendation is an affordable approach to providing care	33 (21%)	25 (16%)	31 (20%)	18 (11%)	48 (31%)	154 (100%)	928
33. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	33 (21%)	20 (13%)	24 (15%)	25 (16%)	51 (33%)	152 (100%)	930
34. The Agency's recommendation will increase the public's access to professional services	31 (19%)	29 (18%)	25 (16%)	24 (15%)	48 (30%)	156 (100%)	926

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
35. What changes would you make in the agency's recommendation?	47	1,035
36. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	50	1,032
37. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	32	1,050

OCFS #1

Provide a permanent exemption for state operated or regulated programs as the regulatory oversight structure provides safeguards for consumers. The exemption for programs that are merely funded by one of the exempted agencies would be discontinued. Regulated residential programs (voluntary agencies) for children, for example, are a large portion of those providers who benefit from the current OCFS exemption.

It is unproven that licensure of voluntary agency staff would enhance the quality of services. As part of OCFS oversight of these programs, OCFS conducts case reviews, makes quarterly monitoring visits and investigates any allegations of child abuse and maltreatment. The focus should be shifted to the practitioners who were the reason for the 2002 enactment of licensing requirements. The legislation was meant for private practitioners who were unregulated and unsupervised and for whom licensing is desirable in order to bill insurance/Medicaid for services. An unintended consequence of the 2002 legislation was that it also impacted on government agencies and regulated not-for-profits.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
38. Do you agree with the Agency's recommendation?	22 (12%)	29 (16%)	15 (8%)	38 (22%)	70 (40%)	173 (100%)	909
39. The Agency's recommendation adequately protects the public	20 (11%)	37 (15%)	21 (12%)	37 (21%)	68 (39%)	172 (100%)	910
40. It is important to implement the Agency's recommendation	20 (11%)	30 (17%)	19 (11%)	36 (21%)	67 (39%)	171 (100%)	911
41. The Agency's recommendation is an affordable approach to providing care	24 (14%)	33 (19%)	36 (21%)	29 (17%)	49 (28%)	170 (100%)	912
42. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	21 (12%)	26 (15%)	29 (17%)	35 (20%)	58 (34%)	168 (100%)	914
43. The Agency's recommendation will increase the public's access to professional services	21 (12%)	22 (12%)	32 (18%)	36 (21%)	61 (35%)	171 (100%)	911

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
44. What changes would you make in the agency's recommendation?	66	1,016
45. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	65	1,017
46. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	47	1,035

OCFS #2

Provide more clarity in statute/regulation on activities that are and are not within the restricted scopes of practice.

Based on the survey results, many people appeared to misunderstand the restricted practice of assessment and evaluation. More OCFS survey responders indicated that they provided assessment and evaluation than any of the other five activities and more of these responders said that they were unlicensed than said they were licensed.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly	Answered	Skipped
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					disagree	question	question
47. Do you agree with the Agency's recommendation?	36 (24%)	59 (40%)	17 (11%)	15 (10%)	22 (15%)	147 (100%)	935
48. The Agency's recommendation adequately protects the public	28 (19%)	53 (36%)	22 (15%)	18 (12%)	26 (17%)	145 (100%)	937
49. It is important to implement the Agency's recommendation	32 (21%)	54 (36%)	24 (16%)	16 (10%)	23 (15%)	147 (100%)	935
50. The Agency's recommendation is an affordable approach to providing care	21 (14%)	36 (25%)	52 (36%)	10 (7%)	26 (18%)	143 (100%)	939
51. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	26 (17%)	441 (28%)	39 (26%)	15 (10%)	27 (18%)	146 (100%)	936
52. The Agency's recommendation will increase the public's access to professional services	20 (13%)	31 (21%)	53 (36%)	15 (10%)	28 (19%)	145 (100%)	937

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
53. What changes would you make in the agency's recommendation?	36	1,046
54. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	38	1,044
55. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	26	1,056

OCFS #3

Provide more clarity in statute/regulation on the differences between activities that may be performed by a Licensed Master Social Worker (LMSW) and those that are permissible only for a Licensed Clinical Social Worker (LCSW).

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
56. Do you agree with the Agency's recommendation?	44 (29%)	73 (49%)	15 (10%)	6 (4%)	11 (7%)	148 (100%)	934
57. The Agency's recommendation	33 (22%)	59 (41%)	36 (25%)	5 (3%)	13 (9%)	144 (100%)	938

adequately protects the public							
58. It is important to implement the Agency's recommendation	34 (23%)	62 (43%)	27 (19%)	5 (3%)	15 (10%)	142 (100%)	940
59. The Agency's recommendation is an affordable approach to providing care	25 (17%)	40 (28%)	61 (43%)	5 (3%)	13 (9%)	142 (100%)	940
60. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	27 (19%)	43 (30%)	52 (37%)	7 (5%)	13 (9%)	140 (100%)	942
61. The Agency's recommendation will increase the public's access to professional services	25 (18%)	37 (26%)	52 (37%)	10 (7%)	16 (11)	139 (100%)	943

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
62. What changes would you make in the agency's recommendation?	26	1,056
63. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	22	1,060
64. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	13	1,069

OMH #1

Most importantly, the Legislature should establish a permanent exemption from “scope of practice” restrictions for programs operated, funded, licensed, or regulated by OMH.

All of the State mental hygiene (“O”) agencies agree that the Education Law Title VII regulatory apparatus has many benefits, and where appropriate, as in the recent OMH Part 599 clinic regulation (14 NYCRR Part 599), has been wholeheartedly endorsed. However, OMH and the “O” agencies also have instituted within the public behavioral health system substantial cost-effective public protections, and there is no demonstrated need for additional restrictions on the operation of these programs.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
65. Do you agree with the Agency's recommendation?	40 (12%)	50 (15%)	22 (6%)	53 (16%)	164 (49%)	329 (100%)	753

66. The Agency's recommendation adequately protects the public	39 (12%)	50 (15%)	28 (8%)	56 (17%)	154 (47%)	325 (100%)	757
67. It is important to implement the Agency's recommendation	43 (13%)	48 (14%)	28 (8%)	49 (15%)	155 (48%)	322 (100%)	760
68. The Agency's recommendation is an affordable approach to providing care	42 (13%)	48 (15%)	67 (21%)	53 (16%)	109 (34%)	316 (100%)	766
69. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	38 (12%)	45 (14%)	35 (11%)	71 (22%)	130 (41%)	317 (100%)	765
70. The Agency's recommendation will increase the public's access to professional services	41 (12%)	38 (11%)	55 (17%)	54 (17%)	134 (42%)	318 (100%)	764

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
71. What changes would you make in the agency's recommendation?	139	943
72. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	149	933
73. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	103	979

OMH #2

The OMH has sufficient oversight mechanisms and program supervision in the service delivery system that makes conversion of unlicensed staff to licensed staff unnecessary.

Extension of the current exemption from the “scope of practice” provisions will preserve the State statutory scheme for the provision of quality behavioral health services as defined in the State’s Mental Hygiene Law, as well as the important oversight role of the “O” agencies within the Department of Mental Hygiene.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
74. Do you agree with the Agency's recommendation?	34 (12%)	30 (11%)	14 (5%)	49 (17%)	147 (53%)	273 (100%)	809
75. The Agency's recommendation	32 (11%)	28 (10%)	22 (8%)	51 (18%)	140 (51%)	272 (100%)	810

adequately protects the public							
76. It is important to implement the Agency's recommendation	33 (12%)	30 (11%)	19 (7%)	51 (18%)	140 (51%)	272 (100%)	810
77. The Agency's recommendation is an affordable approach to providing care	30 (11%)	36 (13%)	47 (17%)	46 (17%)	108 (40%)	266 (100%)	816
78. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	31 (11%)	32 (12%)	25 (9%)	60 (22%)	121 (45%)	267 (100%)	815
79. The Agency's recommendation will increase the public's access to professional services	31 (11%)	30 (11%)	44 (16%)	49 (18%)	117 (43%)	268 (100%)	814

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
80. What changes would you make in the agency's recommendation?	94	988
81. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	98	984
82. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	69	1,013

OPWDD #1

The survey responses collected by the Office of the Professions do not provide specific information regarding the reasons why the MSWs reported in the survey are not licensed under current State Education Law. OPWDD recommends that further examination of the circumstances of the unlicensed MSWs is necessary to determine if individuals are:

1. Covered under the permanent exemption found in Article 154;
2. Working toward licensure during the extension of the time-limited exemption;
3. Employees of OPWDD state-operated programs who meet the Civil Service qualifications at the professional level, but are not required to be licensed for his/her job title under applicable Civil Service standards; and/or
4. Not authorized to provide restricted activities and must obtain a license and/or the requisite supervision or supervised experience in accordance with Education Law; or do not have the necessary education, training or experience to become

licensed under current Education Law.

Further study of the above circumstances and receipt of guidance from the Office of the Professions and the Department of Civil Service will be necessary to enable OPWDD to develop and implement a policy that will assure compliance with the professional licensure laws for unlicensed MSWs employed in OPWDD state-operated programs and OPWDD approved, funded and regulated voluntary programs, not later than July 1, 2013.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
83. Do you agree with the Agency's recommendation?	64 (24%)	122 (48%)	21 (8%)	22 (8%)	39 (14%)	263 (100%)	819
84. The Agency's recommendation adequately protects the public	54 (20%)	103 (39%)	44 (17%)	22 (8%)	39 (15%)	258 (100%)	824
85. It is important to implement the Agency's recommendation	61 (23%)	112 (43%)	25 (9%)	22 (8%)	42 (16%)	258 (100%)	824
86. The Agency's recommendation is an affordable approach to providing care	49 (19%)	73 (28%)	74 (28%)	23 (9%)	41 (16%)	256 (100%)	826
87. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	46 (18%)	82 (32%)	65 (25%)	23 (9%)	42 (16%)	255 (100%)	827
88. The Agency's recommendation will increase the public's access to professional services	47 (18%)	73 (28%)	70 (27%)	28 (11%)	40 (15%)	255 (100%)	827

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
89. What changes would you make in the agency's recommendation?	69	1,013
90. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	71	1,011
91. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	48	1,034

OPWDD #2

OPWDD recommends more detailed review of the use of counselor/program aide/assistant and case manager/service coordinator titles in OPWDD state-operated programs and OPWDD approved, funded, regulated voluntary programs to provide services under the protected scope of practice of a LMSW and the performance of restricted activities associated with clinical social work practice.

OPWDD supports the efforts of the Office of the Professions to clarify the protected scopes of practice and clearly identify restricted activities that may not be performed by not-licensed or unauthorized individuals.

OPWDD is prepared to work in collaboration with representatives from the Office of the Professions, the Department of Civil Service and State and voluntary agency Human Resources departments to recommend appropriate realignment of job duties and responsibilities to insure that only individuals licensed or authorized under the law provide these services and perform restricted activities, after July 1, 2013.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
92. Do you agree with the Agency's recommendation?	73 (29%)	104 (42%)	17 (6%)	25 (10%)	28 (11%)	246 (100%)	836
93. The Agency's recommendation adequately protects the public	61 (25%)	101 (41%)	34 (14%)	21 (8%)	27 (11%)	243 (100%)	839
94. It is important to implement the Agency's recommendation	68 (28%)	93 (38%)	28 (11%)	27 (11%)	26 (10%)	241 (100%)	841
95. The Agency's recommendation is an affordable approach to providing care	49 (20%)	77 (32%)	62 (25%)	26 (10%)	29 (12%)	239 (100%)	843
96. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	48 (20%)	81 (33%)	57 (23%)	28 (11%)	28 (11%)	239 (100%)	843
97. The Agency's recommendation will increase the public's access to professional services	45 (28%)	77 (32%)	59 (24*)	32 (13%)	28 (11%)	238 (100%)	844

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
98. What changes would you make in the agency's recommendation?	59	1,023

99. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	59	1,023
100. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	36	1,046

OPWDD #3

OPWDD recommends that the Office of the Professions support the following recommendations to address this issue in its report to the Legislature:

1. In cases where individuals can demonstrate experience appropriate and acceptable to SED, OPWDD strongly supports consideration of an alternative pathway to licensure that includes substitution of experience for examination and/or other licensure requirements; and
2. If individuals in the occupational titles of counselor/program aide/assistant and case manager/service coordinator are also unlicensed MSWs, OPWDD supports the same consideration of an alternative pathway to licensure as described above.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
101. Do you agree with the Agency's recommendation?	65 (25%)	76 (29%)	11 (4%)	50 (19%)	57 (22%)	256 (100%)	826
102. The Agency's recommendation adequately protects the public	50 (19%)	77 (30%)	27 (10%)	39 (15)	62 (24%)	254 (100%)	828
103. It is important to implement the Agency's recommendation	57 (22%)	72 (28%)	24 (9%)	43 (17%)	58 (23%)	252 (100%)	830
104. The Agency's recommendation is an affordable approach to providing care	52 (20%)	74 (29%)	42 (16%)	33 (13%)	51 (20%)	249 (100%)	833
105. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	52 (20%)	71 (28%)	30 (12%)	43 (17%)	55 (22%)	249 (100%)	833
106. The Agency's recommendation will increase the public's access to	49 (19%)	70 (28%)	45 (18%)	36 (14%)	50 (20%)	248 (100%)	834

professional services							
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Open-ended Question (comments are accessible online)	Answered Question	Skipped question
107. What changes would you make in the agency's recommendation?	71	1,011
108. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	63	1,019
109. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	43	1,039

OPWDD #4

OPWDD recommends that the Office of the Professions support the two permanent solutions to this issue in its report to the Legislature; the first proposal is:

Amendment to the Education Law expanding the current permanent exemption from licensure found in Article 153, psychology, for a psychologist in the employ of a federal, state, county or municipal agency, or other political subdivision, or a chartered elementary or secondary school or degree-granting educational institution insofar as such activities and services are a part of the duties of his salaried position to include OPWDD voluntary not-for-profit agencies;

Note: the second proposal on the next survey page.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
110. Do you agree with the Agency's recommendation?	73 (30%)	43 (17%)	28 (11%)	39 (16%)	61 (25%)	243 (100%)	839
111. The Agency's recommendation adequately protects the public	64 (26%)	44 (18%)	32 (13%)	42 (17%)	59 (24%)	241 (100%)	841
112. It is important to implement the Agency's recommendation	67 (28%)	43 (18%)	29 (12%)	42 (17%)	58 (24%)	237 (100%)	845
113. The Agency's recommendation is an affordable approach to providing care	62 (26%)	40 (20%)	48 (20%)	31 (13%)	46 (19%)	236 (100%)	846
114. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	60 (25%)	47 (19%)	42 (17%)	39 (16%)	51 (21%)	239 (100%)	843

115. The Agency's recommendation will increase the public's access to professional services	60 (25%)	43 (18%)	53 (22%)	34 (14%)	50 (20%)	239 (100%)	843
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Open-ended Question (comments are accessible online)	Answered Question	Skipped question
116. What changes would you make in the agency's recommendation?	67	1,015
117. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	58	1,024
118. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	37	1,045

OPWDD #5

OPWDD recommends that the Office of the Professions support the two permanent solutions to this issue in its report to the Legislature; the second proposal is:

Amendment to the Education Law adding a new Article requiring licensing of behavioral health practitioners. Licensing standards to include having a master's degree in psychology, or having successfully completed at least 60 graduate hours in a program leading to a doctoral degree in psychology; having two years of supervised full-time experience in the delivery of professional behavioral health or psychological services; and passing an examination.

NOTE: the first proposal is on the prior survey page

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
119. Do you agree with the Agency's recommendation?	50 (20%)	82 (34%)	32 (13%)	35 (14%)	45 (18%)	241 (100%)	841
120. The Agency's recommendation adequately protects the public	45 (18%)	84 (34%)	45 (18%)	29 (12%)	41 (17%)	241 (100%)	841
121. It is important to implement the Agency's recommendation	46 (19%)	77 (32%)	41 (17%)	37 (15%)	42 (17%)	240 (100%)	842
122. The Agency's recommendation is an affordable approach to providing care	41 (17%)	63 (26%)	61 (25%)	35 (14%)	40 (16%)	238 (100%)	844
123. The Agency's recommendation balances licensure to protect the public	41 (17%)	66 (28%)	49 (20%)	42 (17%)	39 (16%)	235 (100%)	847

with controlling the cost of professional services							
124. The Agency's recommendation will increase the public's access to professional services	34 (14%)	64 (27%)	57 (24%)	42 (18%)	38 (16%)	233 (100%)	849
125. The Agency's recommendation will decrease the public's access to professional services	36 (15%)	41 (17%)	59 (25%)	61 (26%)	38 (16%)	234 (100%)	848

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
126. What changes would you make in the agency's recommendation?	64	1,018
127. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	47	1,035
128. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	35	1,047

SOFA #1

Many of the programs regulated, operated, funded or approved by NYSOFA do not include the various functions from the various scopes of practice established by the Mental Health Practice Act but they use many shared terms that are being used in the scopes of the mental health and social work professions outlined in the Act. These shared terms include: assessments; case management; care coordination; counseling; intervention; self management; and treatment plan. NYSOFA uses these terms in the context of determining the needs and service eligibility of older adults for programs and services provided through the Aging Services Network under the Older Americans Act and the New York State Elder Law – not for the purpose of assessing, diagnosing and treating an older adult with mental illness.

It is recommended that programs that NYSOFA regulates, operates, and funds be provided: (1) clarification in statute and (2) an exemption that the use of shared terms by these professions is limited to the provision of mental health services such as psychotherapy, psychoanalysis, or diagnosis of mental health conditions, as per the DSM codes and ICD 10 codes.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
129. Do you agree with the Agency's recommendation?	47 (26%)	56 (31%)	28 (15%)	18 (10%)	28 (15%)	177 (100%)	905

130. The Agency's recommendation adequately protects the public	45 (25%)	52 (29%)	34 (19%)	20 (11%)	24 (13%)	175 (100%)	907
131. It is important to implement the Agency's recommendation	46 (26%)	56 (32%)	29 (16%)	19 (11%)	24 (13%)	173 (100%)	909
132. The Agency's recommendation is an affordable approach to providing care	45 (26%)	49 (25%)	42 (24%)	14 (8%)	22 (12%)	172 (100%)	910
133. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	42 (24%)	47 (27%)	41 (24%)	19 (11%)	23 (13%)	171 (100%)	911
134. The Agency's recommendation will increase the public's access to professional services	40 (23%)	47 (27%)	44 (25%)	17 (9%)	23 (13%)	171 (100%)	911

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
135. What changes would you make in the agency's recommendation?	34	1,048
136. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	36	1,046
137. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	19	1,063

SOFA #2

The Administration on Aging (AoA) is developing objectives, priorities and a long-term plan for supporting State and local efforts pertaining to education, prevention, detection and treatment of mental disorders, including age-related dementia, depression, and Alzheimer's disease and related neurological disorders with neurological and organic brain dysfunction. Although the 2006 Amendments to the Older Americans Act include no specific requirements for States regarding new Title II mental health provisions, there are significant opportunities for States to:

- Ensure that mental health programs and services are aware of the role Aging and Disability Resource Centers play in connecting consumers with resources to meet their needs.
- Explore the availability of evidence-based mental health programs and incorporating them where practicable.

- Strengthen partnerships between mental health programs and services and the Aging Services Network at the State and AAA/community levels.

In order to ensure this work can continue, it is recommended that an exemption should be crafted that would allow the Aging Services Network to effectively carry out the mental health references that are contained in the Older Americans Act, which is the major source of funding for the Aging Services Network and is designed to encourage innovation.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
138. Do you agree with the Agency's recommendation?	49 (31%)	44 (28%)	22 (14%)	20 (12%)	21 (13%)	156 (100%)	926
139. The Agency's recommendation adequately protects the public	43 (28%)	41 (27%)	27 (17%)	19 (12%)	23 (15%)	152 (100%)	930
140. It is important to implement the Agency's recommendation	47 (30%)	42 (27%)	24 (15%)	16 (10%)	23 (15%)	152 (100%)	930
141. The Agency's recommendation is an affordable approach to providing care	43 (28%)	34 (22%)	42 (27%)	16 (10%)	18 (11%)	153 (100%)	929
142. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	39 (26%)	39 (26%)	32 (21%)	19 (12%)	21 (14%)	150 (100%)	932
143. The Agency's recommendation will increase the public's access to professional services	42 (25%)	40 (26%)	29 (19%)	19 (12%)	22 (14%)	152 (100%)	930

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
144. What changes would you make in the agency's recommendation?	28	1,054
145. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	27	1,055
146. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	19	1,063

DOCCS #1

Recommendations on alternative pathways to licensure would be to receive SED's acceptance of the established Civil Service education and experience requirements for the Alcohol and Substance Abuse Treatment (ASAT) titles.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
147. Do you agree with the Agency's recommendation?	11 (9%)	19 (15%)	30 (25%)	22 (18%)	39 (32%)	120 (100%)	962
148. The Agency's recommendation adequately protects the public	11 (9%)	18 (15%)	32 (26%)	21 (17%)	39 (32%)	119 (100%)	963
149. It is important to implement the Agency's recommendation	10 (8%)	19 (16%)	30 (25%)	22 (18%)	38 (32%)	117 (100%)	965
150. The Agency's recommendation is an affordable approach to providing care	12 (10%)	17 (14%)	37 (31%)	19 (16%)	32 (27%)	116 (100%)	966
151. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	11 (9%)	17 (14%)	35 (30%)	20 (17%)	33 (28%)	115 (100%)	967
152. The Agency's recommendation will increase the public's access to professional services	12 (10%)	15 (13%)	36 (31%)	17 (15%)	34 (30%)	113 (100%)	969

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
153. What changes would you make in the agency's recommendation?	19	1,063
154. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	14	1,068
155. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	6	1,076

DOCCS #2

Recommendations on possible modification to the Civil Service requirements to include a Qualified Health Professional (QHP) of which a Credential Alcoholism & Substance Abuse Counselor (CASAC) is, could be explored, with the allowance for "grandfathering" in current employees in such titles.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
156. Do you agree with the Agency's recommendation?	15 (12%)	29 (24%)	20 (16%)	16 (13%)	40 (33%)	118 (100%)	964
157. The Agency's recommendation adequately protects the public	14 (12%)	26 (22%)	22 (19%)	17 (14%)	38 (32%)	116 (100%)	966
158. It is important to implement the Agency's recommendation	13 (11%)	26 (22%)	23 (20%)	16 (13%)	38 (33%)	115 (100%)	967
159. The Agency's recommendation is an affordable approach to providing care	13 (11%)	23 (20%)	33 (29%)	14 (12%)	31 (27%)	113 (100%)	969
160. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	11 (10%)	24 (21%)	28 (25%)	16 (14%)	32 (29%)	110 (100%)	972
161. The Agency's recommendation will increase the public's access to professional services	12 (10%)	24 (21%)	30 (26%)	16 (14%)	31 (27%)	112 (100%)	970

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
162. What changes would you make in the agency's recommendation?	15	1,067
163. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	11	1,071
164. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	9	1,073

DOCCS #3

Recommendations for amendments to law, rules and regulations necessary to fully implement the requirements for licensure by July 1, 2013 would be to develop established waivers in regard to percentages of Qualified Health Professional (QHP) staff necessary at each site to maintain the provision of substance abuse services, as well as action plans for those sites without QHP staff.

The collaboration between DOCCS and OASAS has developed waivers (Memorandum of Understanding) (ATTACHMENT #18 to the DOCCS Report) to address such staffing considerations when specified DOCCS sites are identified for OASAS certification

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
165. Do you agree with the Agency's recommendation?	9 (8%)	18 (16%)	29 (26%)	16 (14%)	36 (33%)	108 (100%)	974
166. The Agency's recommendation adequately protects the public	9 (8%)	18 (16%)	26 (24%)	17 (15%)	37 (34%)	107 (100%)	975
167. It is important to implement the Agency's recommendation	9 (8%)	18 (16%)	28 (26%)	16 (15%)	36 (33%)	107 (100%)	975
168. The Agency's recommendation is an affordable approach to providing care	9 (8%)	17 (16%)	36 (35%)	12 (11%)	30 (29%)	103 (100%)	979
169. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	9 (8%)	16 (15%)	32 (30%)	17 (16%)	32 (30%)	105 (100%)	977
170. The Agency's recommendation will increase the public's access to professional services	9 (8%)	14 (13%)	36 (35%)	14 (13%)	30 (29%)	102 (100%)	980

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
171. What changes would you make in the agency's recommendation?	11	1,071
172. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	10	1,072
173. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	8	1,074

DOH #1

The Department of Health does not believe any actions are necessary to amend the law and defers to agencies that are being impacted by this legislation for further recommendations. The Department looks forward to working with SED and other agencies in the future to ensure compliance with this legislation.

Question	Strongly agree	Agree	Unknown	Disagree	Strongly disagree	Answered question	Skipped question
174. Do you agree with the Agency's recommendation?	29 (19%)	43 (28%)	31 (20%)	22 (14%)	25 (16%)	149 (100%)	933
175. The Agency's recommendation adequately protects the public	27 (18%)	40 (27%)	35 (23%)	22 (14%)	25 (16%)	148 (100%)	934
176. It is important to implement the Agency's recommendation	29 (19%)	40 (27%)	36 (24%)	22 (15%)	22 (15%)	147 (100%)	935
177. The Agency's recommendation is an affordable approach to providing care	28 (19%)	35 (23%)	46 (31%)	17 (11%)	23 (15%)	147 (100%)	935
178. The Agency's recommendation balances licensure to protect the public with controlling the cost of professional services	25 (17%)	35 (24%)	39 (27%)	20 (14%)	25 (17%)	142 (100%)	940
179. The Agency's recommendation will increase the public's access to professional services	27 (18%)	28 (19%)	45 (31%)	20 (13%)	25 (17%)	144 (100%)	938

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
180. What changes would you make in the agency's recommendation?	22	1,060
181. Do you believe that the Agency's recommendation will affect the protection of the public in the delivery of professional services and, if so, how?	16	1,066
182. If you have specific concerns about the proposal or if you have your own recommendations, please briefly describe them in the box below.	12	1,070

The survey provided an opportunity for an individual to submit additional comments at the end or to submit a written statement to the Office of the Professions. The comments are available on-line.

Open-ended Question (comments are accessible online)	Answered Question	Skipped question
183. Please provide any additional comments or suggestions for consideration by the Office of the Professions in developing the report and recommending changes in laws, rules or regulations. If you wish to submit a separate letter, you may send it by email to SWMHPSurvey@mail.nysed.gov .	144	938

Letters that were submitted by associations representing psychologists, social workers in health care, deans of social work programs, and individuals will be provided upon request.