



# NYASP Legislative Update

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NYASP Legislative Co-Chair

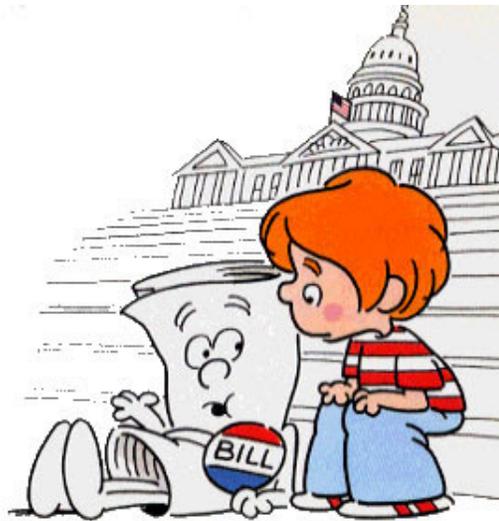
## Plan of Action

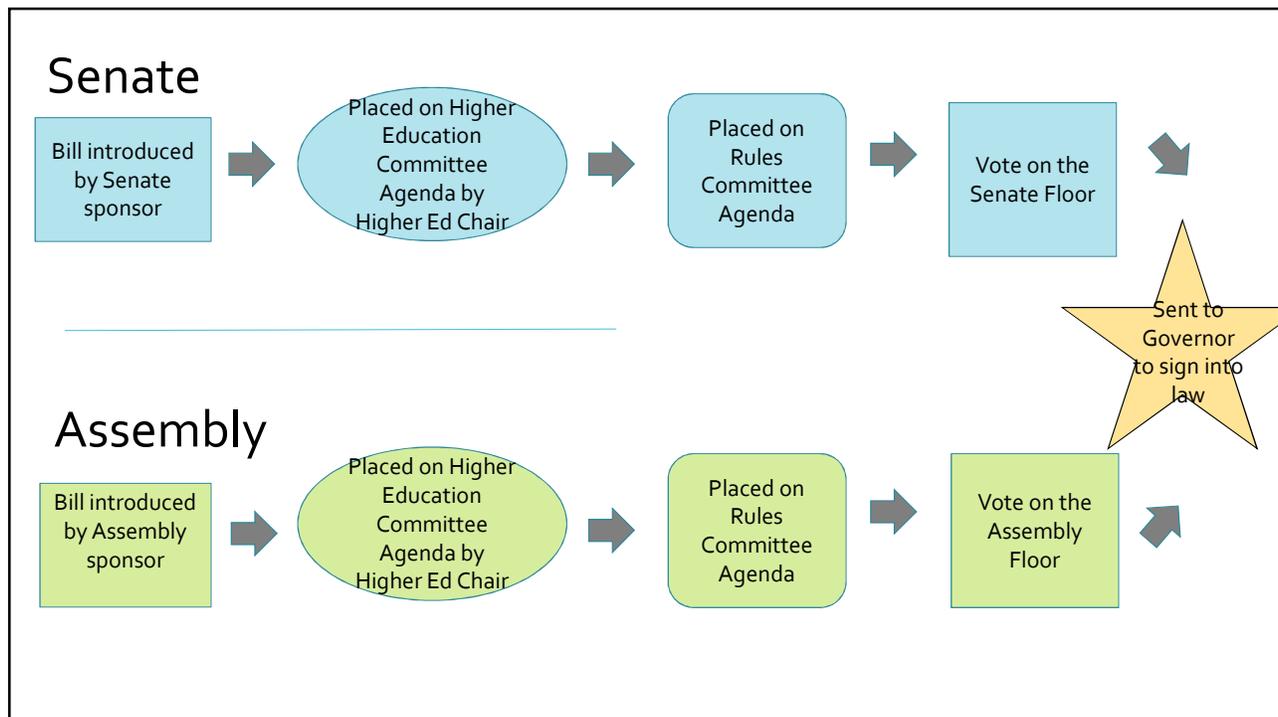
- Overview of the legislative process
- Update on the school psychology licensure bill
- Frequently asked practice questions

## The Legislative Process

- The legislative session opens in January each year and ends in June
- During the legislative session legislators work on the budget as well as any bills to be passed
  - The session is relatively short, which is why time is of the essence when we ask for advocacy efforts
- Legislators work in their home districts between July and December
  - This time is key for advocacy on the local level

## How does a bill become a law?



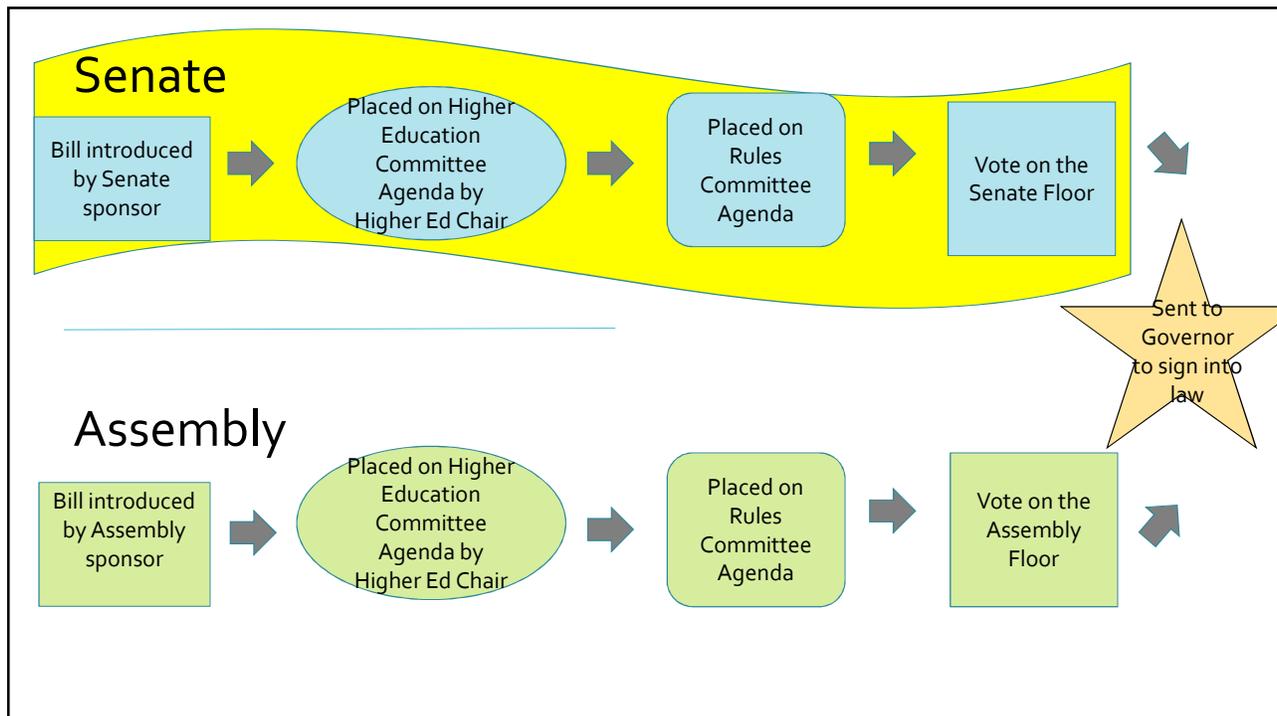


2017  
Legislative  
Session

- **Key Legislators**
  - Senator Robert Ortt (Senate sponsor)
  - Assemblymember Linda Rosenthal (Assembly sponsor)
  - Senator Ken LaValle (Chair – Senate Higher Education Committee)

## Bill status in June 2017

- Senator Ken LaValle put S692B on the Higher Education Committee agenda, and it passed in the Committee on June 6, 2017
- The bill passed the Rules Committee on June 20, 2017
- The bill passed on the Senate floor on June 20, 2017 and was delivered to the Assembly on June 20, 2017
- The legislative session ended on June 21, 2017



## Current Legislative Initiative

- NYASP members were emailed last week regarding the initiative
- A follow up email will be sent after the conference
- This fall - grass roots initiative across the state
- All NYASP members should reach out to their Senator and Assemblymember in their home district
- Meetings should focus on discussing school psychology, mental health services for children, and the importance of the school psychology licensure bill

## How to Advocate

- Stop by your legislator's office
- General Lobbying Tips
  - <http://www.nyasp.wildapricot.org/General-Lobbying-Tips>
- NYASP Lobby Day Talking Points
  - <http://www.nyasp.wildapricot.org/Talking-Points-for-Lobby-Day>
- Provide relevant materials for them to review
- Follow up with a thank you via email

If your  
legislator is  
already a  
sponsor

- Stop in to your legislator's office to say thank you for their sponsorship
- Drop off materials to reinforce your message
- Ask for their continued support in the upcoming session

Advocacy  
Materials



HOME CONFERENCE 2017 STORE BULLYING PREVENTION PROGRAM MESSAGE BOARD PROFESSIONAL RESOURCES ►

[Home](#) > [Advocacy Resources](#)

[Final Mental Health Task Force Report](#)

[Crisis in Care Report](#)

[School Psychologists as Health Care Providers](#)

[NYS Suicide Prevention Plan](#)

[NYS SAMHSA Barometer](#)

Now let's  
switch gears...



## School Psychology FAQs

Can school psychologists work in private practice independently or “under the supervision of”?

• No

- School psychologists can only work in exempt settings
- Exempt settings include public and private schools, NYSED approved preschools (4410 schools), colleges and universities, and State and Federal agencies (e.g. OMH, OCFS).

Can licensed psychologists work as school psychologists?

• It depends...

- Only if the licensed psychologist is a certified school psychologist

Can school psychologists work for preschool agencies and provide EI services?

• Yes

- An EI extender bill was passed, allowing for school psychologists to continue to provide evaluations and services to preschoolers outside of center-based programs. This bill sunsets in 2018

Do school psychologists provide therapy in school?

• Yes

- Counseling = Therapy
- One in five adolescents has a diagnosable mental health disorder
- Between 60 and 90 percent of adolescents with mental health disorders fail to receive treatment.
- **Of the adolescents who do get help, nearly two thirds do so only in school.**

Can school  
psychologists  
diagnose?

• Yes

- Certified school psychologists fall under the exemption found in §7605 - Exempt Persons of Article 153 of the Education Law
- Certified school psychologists who are employed in a chartered elementary or secondary school, or registered pre-school, may engage in the practices found in §7601-a of Article 153, which includes the diagnosis of disorders or dysfunctions (to meet the classifications used by the CSE for purposes of educational plans

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§7601-a. Definition of the practice of psychology.

1. The practice of psychology is the observation, description, evaluation, interpretation, and modification of behavior for the purpose of preventing or eliminating symptomatic, maladaptive or undesired behavior; enhancing interpersonal relationships, personal, group or organizational effectiveness and work and/or life adjustment; and improving behavioral health and/or mental health. The practice includes, but is not limited to psychological (including neuropsychological) testing and counseling; psychoanalysis; psychotherapy; the diagnosis and treatment of mental, nervous, emotional, cognitive or behavioral disorders, disabilities, ailments or illnesses, alcoholism, substance abuse, disorders of habit or conduct, the psychological aspects of physical illness, accident, injury or disability, psychological aspects of learning (including learning disorders); and the use of accepted classification systems.
  2. The term "diagnosis and treatment" means the appropriate psychological diagnosis and the ordering or providing of treatment according to need. Treatment includes, but is not limited to counseling, psychotherapy, marital or family therapy, psychoanalysis, and other psychological interventions, including verbal, behavioral, or other appropriate means as defined in regulations promulgated by the commissioner.
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<http://www.op.nysed.gov/prof/psych/article153.htm>

However...

• This is contingent on 2 things...

- The school psychologist's competency in relation to diagnosis
- Specific district policy

On the federal level

- ESSA identifies school psychologists as school-based mental health services providers who are qualified to provide the full range of comprehensive school psychological services.
  - <http://www.nasponline.org/research-and-policy/current-law-and-policy-priorities/policy-priorities/the-every-student-succeeds-act/essa-implementation-resources>
  - <http://www.nasponline.org/research-and-policy/current-law-and-policy-priorities/policy-priorities/the-every-student-succeeds-act/essa-implementation-resources/essa-mental-and-behavioral-health-services-for-decision-makers>
- US Department of Education – Office of Civil Rights
  - Dear Colleague Letter
  - Clarifies and provides guidance on the Federal obligations of school districts regarding students with ADHD under Section 504
  - <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201607-504-adhd.pdf>

Any other  
questions?



Thank You!

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