COUNCIL OF FAMILY AND CHILD CARING AGENCIES

MEMORANDUM OF SUPPORT

A6008-E by Assembly member Bronson & S9449 by Senator Brouk - To amend the education law in relation to diagnostic privilege; and providing for the repeal of certain provisions upon expiration thereof.

May 30, 2022: The Council of Family and Child Caring Agencies (COFCCA) supports A.6008-E by Assembly member Bronson/S.9449 by Senator Brouk, which seeks to address the workforce challenges within the mental health and substance abuse service delivery system in New York.

The bill establishes requirements for mental health counselors, marriage and family therapists and psychoanalysts to obtain a diagnostic privilege that would allow them to diagnose and develop assessment based treatment plans.

The requirement for the diagnostic privilege mirrors the requirements of a licensed clinical social worker and would include the following:

- 60 semester hour masters degree with 12 semester hours of clinical instruction; and
- 2000 hours of supervised direct client contact.

LMHCs, LMFTs and LPs may begin to apply for the diagnostic privilege starting on June 24, 2024. As the field transitions, LMHCs, LMFTs and LPs will have the authority to diagnose in supervised setting starting on June 24, 2022 and ending on June 24, 2025. This one year overlap allows for these individuals to continue to diagnose under supervision while they apply for the diagnostic privilege. After June 24, 2025 only those with a limited permit or the diagnostic privilege could continue to diagnose.

There is agreement that there is a shortage of mental health professionals, especially those authorized to diagnose. There is also widespread agreement that the need for mental health services is increasing and our system is not prepared to meet the increased demand for care. If enacted, this bill could increase the number of diagnosing mental health professionals by over 10,000 individuals. Allowing for LMHCs and others to diagnose is essential as the longstanding exemption to licensure restrictions expires on June 24, 2022. This bill will expand the number of diagnosing professionals while ensuring high quality standards.

For these reasons, COFCCA strongly supports this legislation.

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