

Dear Members and Advocates;

The New York State Task Force on Occupational Regulation (NYSTF) is contacting you to notify you of important developments related to the grandparenting period for the New York State Creative Arts Therapist Licensing process.

Please direct your browser to the following address:

<http://www.op.nysed.gov/mhp-december14-letter.htm>

[We will also copy & paste the contents at the end of our message.]

In reading the letter from Johanna Duncan-Poitier, Deputy Commissioner of the Office of Higher Education in the Office of the Professions of the New York State Education Department, you will learn that the New York State Board of Regents recently made a regulatory change that extends the date by which the requirements in the grandparenting provisions of the law must be satisfied. **If you submit your application (Form 1) and fee (\$345) by January 1, 2006**, this extension provides additional time for you to be notified about, and satisfy, outstanding licensure requirements.

Pursuing licensure is a personal decision and the NYSTF cannot assure *ANY* applicant that their application will be approved, but *we strongly encourage you to carefully review your qualifications* and pursue licensure during the grandparenting period if you think you may qualify. Considering the recent action by the NYS Board of Regents, the opportunity exists for you to fulfill requirements in which you may be deficient (i.e., practice hours, professional designation, etc.). **You MUST submit your application (Form 1) and fee (\$345) no later than 12/31/05 in order to receive this additional consideration.** The Department has stated that any grandparenting application received after this date will not be considered. If you apply and are denied, you will be refunded a portion (either \$170 or \$175) of your application and licensing fee (\$345).

We encourage you to continue to contact us with your questions and comments.

In the spirit of service,

The New York State Task Force on Occupational Regulation

Important Information Concerning Your Application for Licensure December 14, 2005

Thank you for applying for licensure as a Mental Health Counselor, Marriage and Family Therapist, Creative Arts Therapist, or Psychoanalyst in New York State. **This letter provides important information, for applicants who have not already been issued a license, concerning the status of the review of applications and the ability of applicants to continue to provide services during that review. Please disregard this letter if you have already been issued a license in one of these four new professions.** New York State law requires that mental health practitioners be licensed to practice by January 1, 2006. Because, until very recently, there have not been any registered education programs leading to licensure in these four new professions, each applicant's

education and experience credentials must be reviewed to determine if the applicant has met the licensure requirements. Because of this extensive application review process, the multiple pathways to licensure in each of the professions, and the thousands of applications received, we are unable to complete the review and evaluation of all applications by January 1, 2006. We regret this delay and are doing everything we can to license all qualified applicants as soon as possible. The New York State Board of Regents recently made a regulatory change that extends the date by which the *requirements* in the grand-parenting provisions of the law must be satisfied and the Department has implemented a number of administrative processes that will expedite the review and evaluation of licensure applications. The Department is also pursuing, with the Legislature, a change in the statutory requirement for licensure by January 1, 2006. Please refer to the questions and answers on the back of this page for additional information.

To date, the Department has received over 5,000 applications for licensure in the new mental health professions. The review of approximately one-third of those applications is being finalized, and the remainder are now undergoing initial evaluation. To process and review applications as expeditiously as possible, we have reassigned staff that are usually available to respond to telephone inquiries. Our ability to respond to inquiries and application status requests has, therefore, been significantly reduced. Please check our Web site at www.op.nysed.gov/mhp.htm for updated general information. If additional information or clarification about your application is needed, we will contact you directly. Your prompt response will expedite a final determination on your application. The Regents and the Department take seriously the responsibility to protect the public and preserve the integrity of the 47 licensed professions under our jurisdiction. We are committed to reviewing all applications and issuing professional licenses as quickly as possible while still ensuring that the established standards for licensure are upheld. Your patience and assistance during this time are appreciated.

Sincerely,

/s/ Johanna Duncan-Poitier

Deputy Commissioner, Office of Higher Education, Office of the Professions

Questions and Answers on Licensure of Mental Health Practitioners

- **If I submitted an application prior to January 1, 2006 but have not yet heard whether or not I have met the qualifications for licensure, will my eligibility for licensure under the grand-parenting provisions¹ be affected?**

No. The requirement that all applications for licensure under the grand-parenting provisions must be *submitted* by January 1, 2006 *has not changed*. This month however, the New York State Board of Regents [enacted regulations](#) that extend the date by which the *requirements* in the grand-parenting provisions must be *satisfied* until December 31, 2006. **If you submitted your application by January 1, 2006**, this extension provides additional time for you to be notified about, and satisfy, outstanding licensure requirements.

- **If I continue to practice before I receive a final determination on my application for licensure will I be subject to charges of unlicensed practice by**

the Department?

No. In fairness to you, and in order not to disrupt patient care, if you are waiting for a determination from us about your application for licensure, you will not be subject to charges of unlicensed practice by the Department if you continue to provide services until you hear from us. During this time, however, you cannot identify yourself as being licensed in any of these mental health professions.

- **What if I am not eligible for licensure under the grand-parenting provisions?**

If you are not eligible for licensure under the grand-parenting provisions you will be notified about your eligibility for a limited permit that will allow you to practice under supervision until you have met the remaining requirements for licensure under the standard pathway. Please check the Department's Web site for additional information about limited permits.

- **Is anything being done to extend the effective date of the law that requires all mental health practitioners to be licensed by January 1, 2006?**

Yes. The Department is working closely with professional associations and members of the State Legislature who share our concern and commitment to get a statutory amendment that would extend the date by which licensure is required until January 1, 2007². The Regents and the Department do not have the authority to change this date, which is set in law - that must be done by the Legislature and Governor. We are aggressively pursuing this amendment.

- **Where can I find additional information?**

A copy of this letter, along with additional information about these new professions and definitions of practice, and professional conduct standards in these professions, is posted on the Department's Web site at www.op.nysed.gov. We will post updates on the Web site as new information becomes available.

¹ Licensure can be obtained in two ways - the "standard" pathway, which includes education, supervised experience and examination requirements, and multiple "grand-parenting" pathways, for those applicants who have *submitted an application by January 1, 2006* and who qualify for licensure without examination based on meeting combined education and experience requirements.

² Until such an amendment is enacted, the Department hopes that those making decisions about employment and liability issues will take into consideration the fact that compliance with the January 1, 2006 licensure deadline is not within the control of applicants who have not yet received a final determination on their application from the Department.