



NEW YORK STATE SENATOR

Samra G. Brouk

## Marking Mental Health Awareness Month, Senator Brouk and Assemblymember Bronson Push for Greater Mental Health Access

SAMRA G. BROUK May 14, 2021

| ISSUE: **MENTAL HEALTH**

Mental Health Month raises awareness of trauma and the impact it can have on the physical, emotional, and mental well-being of children, families, and communities. Mental health is an essential part of a person's overall health.

Prevention works, treatment is effective, and people can recover from mental disorders and live full and productive lives. But that only happens when there are mental health professionals that can diagnose and treat those needing services.

Currently, there are critical workforce shortages in the public mental health and substance use disorder systems of care across New York State. For decades, the dramatic shortage of licensed mental health professionals has been hidden by an exemption to the scope of practice for several categories of mental health counselors, marriage and family therapists and psychoanalysts to align with the existing requirements for other licensed diagnosing professions.

When the exemption sunsets, the shortage of diagnostic professionals will become apparent. That exemption is set to expire June 24, 2021, unless the legislature takes swift action.

Senator Samra Brouk and Assemblymember Harry Bronson have introduced legislation to

prevent the disruption of mental health care. Their legislation, S5301A/A6008A, seeks to address the workforce challenges within the mental health and substance abuse system. Specifically, their bill will standardize the requirements for licensure of these professions.

The legislation will authorize trained staff to diagnose and develop assessment-based treatment plans. Finally, their bill will include workforce flexibility to deal with critical needs.

*q*

*During the pandemic, we have seen an increase in anxiety, depression, and emergency department visits for drug overdoses and suicide attempts. New Yorkers are hurting, and our mental health systems are struggling to meet the demand for services."*

"As chair of the New York Senate Mental Health Committee, I am proud to sponsor Senate Bill S5301A that would allow licensed marriage and family therapists, mental health counselors, and psychoanalysts to continue serving individuals in the way they have been for almost 20 years, by providing diagnoses alongside treatment plans. Our community needs these valued and trusted practitioners to continue being able to do this work and meet the increasing mental health needs of New Yorkers. It is essential that we pass this legislation now, during Mental Health Awareness Month." - **Senator Samra Brouk, SD-55**

Once the exemption expires, only Licensed Clinical Social Worker (LCSWs), Licensed Psychologists and physicians will be able to diagnose. There are simply not enough diagnosing professionals to meet the needs of New Yorkers. Providing the means for qualified mental health practitioners to diagnose will help provide services efficiently and effectively and avoid significant access to care issues. Compared with 2019, the proportion of mental health-related visits currently for children aged 5–11 and 12–17 years increased

approximately 24% and 31%, respectively. In 2019, 13.6% of children aged 5–17 years had received any mental health treatment in the past 12 months, including 8.4% who had taken medication for their mental health and 10% who received counseling or therapy from a mental health professional. (Data from CDC).

“A crisis is looming. A mental health crisis which is getting even worse due to COVID-19 where the demand for services far outreaches the workforce available. But this is not just a workforce issue. This crisis, is about our children, it’s about our families, it’s about our communities. Quality, reliable behavioral healthcare and addiction services are nearly impossible to access for residents of most counties in New York State. Forty of New York’s 62 counties (65%) are counties designated as mental health shortage areas. Overall, more than three million people in the State live in designated Federal and/or State mental health shortage areas. With passage of this proposed legislation, we will ensure the number of providers who are eligible to diagnose and treat patients increases. We must meet this crisis head-on for our children and families.” -**Assemblymember Harry Bronson 138th Assembly District**

S5301A/A6008A, will modernize the education of the mental health providers as well as modernize the scope of practice that will benefit the families of New York State.

Furthermore, this bill would recognize that as we standardize the requirements for licensure the bill would also amend the scope of practice of LMHCs, LMFTs and LPs to include similar language. By authorizing our professions to diagnose we will be increasing the pool of qualified mental health professionals and helping agencies and mental health clinics meet the increasing need for mental health services.

“Family therapists are recognized by the federal government as a "core" mental health profession, along with psychiatry, psychology, social work and psychiatric nursing. I am very grateful to Assemblyman Bronson and Senator Brouk for their efforts to modernize the

behavioral health and addiction treatment care delivery system in New York State and allow this profession to practice to the top of their education and training.” - **Carol Podgorski, PhD, MPH, LMFT American Association for Marriage & Family Therapy - New York Chapter**

“The education and training family therapists and their colleagues the mental health counselors receive is robust and thorough. Those who are educated and trained here in Rochester go on to become crucial components of the behavioral health and addiction treatment service provider system.” - **Meredith Griffin, LMHC, New York Mental Health Counselors Association**

"As the nationally recognized Children's Mental Health Awareness Week ends, I can think of no more fitting way to honor our hardworking licensed mental health practitioners than by ensuring that New York State recognized their extraordinary clinical education and training. COVID required our clinicians to learn new tele mental health skills, be available to children and families throughout long days and nights, and to work through their own fears, economic pressures and child care dilemmas. I thank the over 100 licensed mental health practitioners employed by Hillside and strongly urge that New York modernize the scope of practice to recognize their extraordinary diagnostic and treatment planning skills." - **Maria Cristalli, CEO of Hillside and President of the Board of Directors of the NYS Coalition for Children's Behavioral Health**

“The pandemic has negatively affected many people’s mental health and created new barriers for service for people already suffering from mental illness and substance use disorders. Yet due to bureaucratic infighting, and the lack of understanding of how mental health professionals are educated and prepared to work with clients, thousands of mental health professionals will lose their ability to provide services thereby creating a further crisis in obtaining vital services. There are critical workforce shortages in the public mental health and substance use disorder systems of care across New York State. Providing the means for qualified mental health practitioners to diagnose will help provide services effectively and

avoid significant waitlist and access to care delays.” - **William Gettman, CEO Northern Rivers**

“There is a behavioral health and addiction treatment crisis in New York State. It is not new, but COVID-19 has exacerbated it. Our legislation is a commonsense solution to improve access to care.” - **Denise Murphy McGraw, on behalf of the Article 163 Licensed Mental Health Providers**

“As someone who represents the employer sector, I can tell you our workforce is struggling due to COVID-19. They need greater access to behavioral health and addiction treatment care. Assemblymember Bronson and Senator Brouk’s bill goes a long way to improving access.” - **Aaron Hilger, President of Builders Exchange of Rochester**

Both bills are currently in the respective Higher Education Committees and are anticipated to be passed into law before the end of session.

---

#### RELATED LEGISLATION

---

### **2021-S5301A**

---

- Introduced
  
- ○ In Committee Assembly
  - In Committee Senate
  
- ○ On Floor Calendar Assembly

- On Floor Calendar Senate

- ◦ Passed Assembly

- Passed Senate

- Delivered to Governor

- Signed By Governor

- 

Relates to required clinical education for certain mental health practitioners and other mental health professionals

March 01, 2021

In Senate Committee [Rules](#)

Sponsored by [Samra G. Brouk](#)

Do you support this bill?