

ANNUAL REPORT 2021



CARL E. HEASTIE, SPEAKER
DEBORAH J. GLICK, CHAIR

NEW YORK STATE ASSEMBLY
COMMITTEE ON
HIGHER EDUCATION



DEBORAH J. GLICK
Assemblymember 66TH District
New York County

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Higher Education Committee
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COMMITTEES
Governmental Operations
Environmental Conservation
Rules
Ways & Means

December 15, 2021

The Honorable Carl E. Heastie, Speaker
New York State Assembly
State Capitol, Room 349
Albany, New York 12248

Dear Speaker Heastie:

On behalf of the members of the Assembly Committee on Higher Education, I respectfully submit to you the Committee's 2021 Annual Report, which highlights our activities over the past year.

The 2021 Legislative Session proved to be a challenging, yet productive one. The 2021-22 enacted budget for higher education provided an additional \$187 million in funding for the State University of New York (SUNY) and \$161 million for the City University of New York (CUNY) over the Executive's proposal. To further support our public colleges and universities, the Legislature included provisions that eliminate the Tuition Assistance Program (TAP) gap by the 2024-25 academic year.

To help maintain college affordability, the Legislature rejected the Executive's proposal to authorize SUNY and CUNY to increase undergraduate tuition by up to \$200 each year through the 2024-25 academic year. The Legislature also increased the maximum TAP award by \$500, bringing it from \$5,165 to \$5,665. The maximum TAP award had not increased in seven years, when it was raised by \$165.

The Executive's proposal maintained State support for community colleges at prior-year levels of \$2,947 for each full-time equivalent (FTE) student. The Legislature increased state support for community colleges, bringing funding levels from \$2,947 to \$2,997 per FTE at SUNY and CUNY community colleges. The enacted budget also increased funding for critical opportunity programs by 20%, including: \$38.6 million for the Educational Opportunity Program (EOP); \$33.7 million for the Search for Education, Elevation, and Knowledge (SEEK) Program; \$1.6 million for the College Discovery Program; \$42.6 million for the Higher Education Opportunity Program (HEOP); \$22 million for the Liberty Partnership Program (LPP); \$19 million for the Science and Technology Entry Program (STEP); and \$14.4 million for the Collegiate-STEP (CSTEP) Program. Finally, the Legislature increased funding for the Foster Youth College Success Initiative, providing a total of \$7.2 million.

The Committee's efforts were not limited to fiscal concerns. In fact, the 2021 Legislative Session addressed several pressing issues, including enactment of legislation that: authorizes certain summer camps to hire licensed professionals including psychologists, social workers, or mental health practitioners; authorizes pharmacists to administer certain immunizations; and updates licensure requirements for engineers.

As you can see, much has been accomplished this year, but much still remains to be done. Thank you for your leadership and steadfast support of our state's higher education community. I am proud of my fourteenth year as Chair of the Higher Education Committee and thank you for the opportunity to continue working with you and my colleagues toward our shared goal of ensuring that our systems of public and private higher education remain the best in the nation.

Sincerely,

A handwritten signature in black ink, reading "Deborah J. Glick". The signature is written in a cursive style with a large, stylized initial "D".

Deborah J. Glick
Assemblymember

**2021 ANNUAL REPORT
NEW YORK STATE ASSEMBLY
STANDING COMMITTEE ON HIGHER EDUCATION**

Deborah J. Glick, Chair

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Benjamin Decker, Associate Counsel
Charles LeDuc, Legislative Director
Ginnie Farrell, Legislative Analyst & Committee Clerk
Abigail Mellon, Program and Counsel Executive Secretary

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I. COMMITTEE JURISDICTION

The Committee on Higher Education is responsible for the initiation and review of legislation relevant to higher education and the professions in New York State. It is primarily concerned with policy initiatives affecting the State University of New York (SUNY), the City University of New York (CUNY), the independent colleges and universities of New York, proprietary vocational schools, student financial aid, and the licensed professions. However, because of the complex and comprehensive nature of New York's system of higher education, the Committee has also been involved in shaping legislation in such diverse public policy fields as health care, economic and workforce development, technology, capital financing, and elementary and secondary education.

The New York State system of higher education has been heralded for decades for its quality and comprehensive service to the public with a full range of academic, professional, and vocational programs. The three components of this system include the State University of New York (SUNY), the City University of New York (CUNY), and the numerous independent colleges and universities, proprietary colleges and schools located within New York State.

In addition to providing support to the state-operated campuses of SUNY and the senior college programs of CUNY, New York State contributes financially to community colleges and provides direct aid to independent colleges and universities. The state also demonstrates its commitment to higher education through funding one of the country's largest state-supported Tuition Assistance Programs (TAP), a need-based grant program that helps eligible New York State residents pay tuition at approved higher education schools in the state (both public and private institutions).

The Committee on Higher Education also monitors the ongoing activities of the 54 professions, which the State Education Department (SED) is charged with licensing and regulating. Through careful consideration of legislation affecting the professions and by monitoring the professional discipline functions of SED and the Department of Health (DOH), the Committee endeavors to protect the health, safety, and welfare of the public and to ensure the maintenance of high standards and competence within the professional realm.

This report summarizes the activities and achievements of the Assembly Committee on Higher Education in each of its major areas of responsibility during the 2021 Legislative Session.

II. HIGHER EDUCATION

A. Budget Highlights

The 2021-22 enacted budget for higher education provided \$348 million in additional funding above the Executive's proposal. Notably, the Legislature included \$100 million for SUNY and \$100 million for CUNY for expansion projects across their university systems. The Legislature also provided \$2 million to provide additional support for students with disabilities attending college in New York.

The 2021-22 enacted budget did not include the Executive's proposal that would deem certain curricula and programs of study at public and not-for-profit colleges and universities registered by SED within thirty days of a school's approval.

1. Community Colleges

This year, the Executive's proposal maintained State support for community colleges at prior-year levels of \$2,947 for each full-time equivalent (FTE) student. Base aid is the State's responsibility for its share of community college budgeted operating costs. The State, the sponsoring locality, and the students share in the operational costs of community colleges; therefore, the level of State support that community colleges receive directly affects tuition rates and local contributions. Statutorily, the State is obligated to pay one-third of a community college's operating costs and up to forty percent of these costs for full opportunity schools. The 2021-22 enacted budget increased the level of per pupil support for community colleges by \$50, for a total of \$2,997 per FTE student.

The Legislature restored funding for the SUNY and CUNY child care centers, providing a total of \$1.1 million to SUNY and \$902,000 to CUNY child care centers. The Legislature also restored \$2.5 million in funding for ASAP at CUNY community colleges. ASAP provides qualified students at nine CUNY colleges with a range of academic, financial, and personal supports to help them earn associate degrees within three years.

2. SUNY State Operated Colleges and CUNY Senior Colleges

The Legislature increased support for Educational Opportunity Centers (EOC), providing a total of \$66 million in funding. EOCs provide academic and vocational training to adults to help them obtain the skills and credentials they need to pursue higher education or to secure career-oriented employment. The Legislature also provided \$10 million in capital funding for EOCs.

The Legislature maintained funding for the Advanced Technology Training and Information Networking (ATTAIN) lab program, providing a total of \$5.5 million in funding within SUNY. ATTAIN labs are located across New York State's most economically challenged urban and rural communities and provide communities access to new technologies, education, and technology training.

The Legislature restored \$250,000 for the CUNY Pipeline at the Graduate Center, \$1.5 million to the School of Labor and Urban Studies, formerly known as the Joseph Murphy Institute, and \$100,000 for the Orange County Community College Bridge Program. The Legislature also provided \$10 million in capital funding to CUNY to support green power and wind power training programs.

The Legislature also restored \$700,000 for small business development centers; \$600,000 for graduate diversity fellowships; \$250,000 for Cornell University's College of Veterinary Medicine; \$200,000 for the SUNY Institute for Leadership and Diversity and Inclusion; and \$150,000 for the New York Hispanic Leadership Institute. The Legislature also restored \$500,000 for tele-counseling and mental health services at SUNY, and provided an additional \$500,000 for such services. Additionally, the Legislature provided \$50,000 for the University of Buffalo School of Law Family Violence and Women's Rights Clinic.

The 2021-22 enacted state budget did not include Executive proposals that would:

- extend SUNY and CUNY's authorization to annually increase undergraduate resident tuition up to \$200 through the 2024-25 academic year;
- provide differential tuition for SUNY university centers and SUNY and CUNY doctoral degree granting institutions; and
- authorize SUNY and CUNY to set a lower tuition rate for certain certificate programs deemed in high demand by the university system's Chancellors.

Finally, the Legislature accepted the Executive's proposal to extend SUNY procurement authorizations for an additional five years, but denied the proposal to authorize SUNY to purchase services through a consortium.

3. Independent Colleges and Universities

Bundy Aid, formally known as Unrestricted Aid to Independent Colleges and Universities, provides direct support to higher education institutions based on the number and type of degrees conferred by the college or university. Funding for Bundy Aid was restored at the prior year level of \$35.1 million.

4. Financial Aid/Access Programs

Grants

New York State is fortunate to have one of the most comprehensive systems of financial aid in the United States. At the forefront is the Tuition Assistance Program (TAP), New York's largest grant program that helps eligible New York residents pay tuition at approved schools in the State. Award amounts are determined by net taxable income (up to \$80,000) and financial status (independent or dependent). Depending on income, TAP awards have ranged from \$500 to \$5,165 with low-income students receiving larger awards. TAP helps keep college accessible and affordable for students who would otherwise not be able to attend. The 2021-22 enacted state budget increased the maximum TAP award by \$500, to \$5,665.

Additionally, students who attend a private, not for profit college or university in New York may be eligible for the Enhanced Tuition Award. The program offers eligible students \$6,000 through a combination of their TAP award, the Enhanced Tuition Award, and a matching award from the college or university.

The impact of the COVID-19 pandemic on students and their families was unprecedented. The 2021-22 enacted state budget included provisions that extended state financial aid eligibility for any 2019-20 or 2020-21 academic year award recipient who was not able to complete a semester, quarter or term because of the COVID-19 pandemic.

Scholarships

In 2017, the Legislature established the Excelsior Scholarship, which has allowed qualified New York State residents to attend SUNY or CUNY tuition free. The enacted budget included the Executive's proposal to extend, for two years, the tuition rate that SUNY and CUNY are authorized to receive from the state for the Excelsior Scholarship and provide that such tuition rate must reset annually thereafter.

Additionally, the enacted budget included the Executive's proposal to extend, for five years, tuition benefits for eligible members of New York State's military forces to attend college in New York State.

Access Programs

Access to higher education has been a long-standing concern of this Committee. Over the years, the Legislature has created programs that provide special assistance to educationally and economically disadvantaged students, underrepresented groups, and "at-risk" youth (students who require additional support in order to achieve academic success). The Assembly has been committed to ensuring that all students have access to higher education and ensuring their academic success through the support of access programs.

Through counseling, remedial coursework, financial assistance, drop-out prevention, and skills training, these programs are dedicated not only to encouraging enrollment in college, but also helping to ensure success in the postsecondary academic environment. New York's access programs include:

*The Higher Education Opportunity Program (HEOP) provides critical access programs for educationally and economically disadvantaged students who attend independent institutions of higher education. HEOP programs serve approximately 4,900 students through 53 programs including pre-freshman summer programs, remedial and developmental courses, tutoring, and counseling. HEOP students, who do not meet the traditional academic criteria when they are admitted to college, typically earn their degrees at rates that equal or exceed other students. With mentoring and support, 66% of HEOP students graduate within five years of enrolling. There are over 36,000 HEOP alumni. The Legislature increased support for HEOP, providing \$42.6 million in funding.

*The Educational Opportunity Program (EOP) provides academic support and financial aid to students who attend public institutions of higher education and show promise for mastering college-level work, but who may otherwise not be admitted. EOP services are available at most SUNY schools, at all CUNY senior colleges through the Percy Ellis Sutton Search for Education, Elevation, and Knowledge (SEEK) program, and at all CUNY community colleges through the College Discovery program. The Legislature provided \$38.6 million in funding for EOP; \$33.7 million for SEEK; and \$1.6 million for College Discovery.

*The Liberty Partnerships Program (LPP) serves approximately 11,500 middle, junior, and senior high school students who are at risk of dropping out. LPP also assists students in completing high school, preparing for and entering college, and obtaining meaningful employment. LPP has a retention rate of 99% and a graduation rate of 92%. The Legislature increased funding for LPP from \$18.4 million to \$22 million.

*The Teacher Opportunity Corps (TOC) has the goal of attracting more African-Americans, Hispanics, and Native Americans to the teaching profession and to prepare these individuals to work effectively with students who are at risk of academic failure and dropping out of school. TOC is also considered to be a model of excellence for teacher education programs. The Legislature accepted the Executive's proposal to maintain TOC funding at \$450,000.

*The Science and Technology Entry Program (STEP) and Collegiate-STEP (CSTEP) programs were created to encourage the attendance of more students of underrepresented and economically disadvantaged populations by helping these students enter collegiate study and careers in scientific, technical, and health-related fields. The Legislature increased funding for STEP and CSTEP at \$19 million and \$14.4 million, respectively.

*The State provides small awards for Native Americans pursuing post-secondary study in New York. This access program offers financial aid to eligible Native Americans and has been critical in addressing the underrepresentation of this population in New York State's higher education system. The Legislature accepted the Executive's proposal to maintain funding for post-secondary aid to Native Americans at \$800,000.

*The Foster Youth College Success Initiative provides support services to assist youth in foster care to apply for, enroll in, and succeed in college by allowing SED to allocate additional funding to expand opportunities through current post-secondary opportunity programs for foster youth. The enacted budget provided a total of \$7.2 million in funding.

B. Legislative Highlights

1. Community Colleges

New York State has 37 public community colleges: 30 within the SUNY system and 7 within the CUNY system. With an enrollment of approximately 265,645 students, community colleges provide a primary source of access to higher education opportunities. The community colleges of SUNY and CUNY are referred to as “full opportunity” institutions, accepting all recent high school graduates and returning residents from the colleges’ sponsorship areas.

Community colleges are unique in that they are financed cooperatively by three partners: the State, a local sponsor, and the students. Community colleges are primarily governed by the local sponsor, assuring that these institutions have greater flexibility to respond to the local educational needs of their unique student population. Many community college students are non-traditional students who return to college later in life, attend part-time and/or combine work and family responsibilities with study.

2. City University of New York

Founded as the Free Academy in 1847, the City University of New York has grown into the largest urban public university in the nation. CUNY comprises 25 campuses throughout Queens, Brooklyn, Manhattan, the Bronx, and Staten Island. It includes 11 senior colleges, a two-year preparatory medical program, an honors college, a journalism school, a school of professional studies, a law school, a school of public health and health policy, a school of labor and urban studies, a graduate center, and 7 community colleges. Through this network, CUNY provides educational opportunities and skills training to an ethnically and culturally diverse population. As of Fall 2019, CUNY’s student population consists of approximately 271,242 students annually: 179,527 at the senior colleges and 91,715 at the community colleges.

3. State University of New York

The State University of New York is the largest comprehensive public university system in the nation, embracing 64 distinct individual campuses located in urban, suburban, and rural communities across New York State. These 64 campuses offer a full range of academic, professional, and vocational programs through their university centers, comprehensive colleges, colleges of technology, and community colleges. SUNY enrolls approximately 394,220 students in over 7,000 programs of study.

4. Independent Colleges and Universities

New York State is fortunate to have the most diversified and largest independent sector of higher education in the nation. The independent colleges and universities of the State enroll approximately 466,131 students. New York not only boasts one of the nation’s largest private universities, New York University, it also prides itself on numerous outstanding small colleges as well. Independent campuses throughout New York State have a collective annual economic impact of \$88.8 billion, employ 415,600 New Yorkers, and have a \$30.7 billion payroll.

Codifying Educational Opportunity Centers

A.982 Hyndman, Chapter 13 of the Laws of 2021. This law makes technical amendments to Chapter 319 of the Laws of 2020 and provides SUNY greater flexibility in the administration and operation of Educational Opportunity Centers (EOC).

Contingencies on the Receipt of State Funding

A.3136-A Epstein, Chapter 573 of the Laws of 2021. This law prohibits schools participating in student financial aid programs administered by the Higher Education Service Corporation (HESC) from requiring students to submit to certain dispute resolution procedures as a condition of an award or loan.

Private Student Loan Refinance Task Force

A.5423-A Cruz, Chapter 774 of the Laws of 2021. This law establishes a Private Student Loan Refinance Task Force to analyze ways that lending institutions can be incentivized and encouraged to create student loan refinance programs. Under the law, the task force would be required to submit a report of its findings and recommendations to the Governor and Legislature by December 31, 2022.

Requiring Five-Year Capital Plans for SUNY and CUNY Senior Colleges

A.5472 Glick, Veto Memo 62. This law requires the governor to submit five-year capital plans for SUNY state-operated campuses and CUNY senior colleges as part of the executive budget beginning in fiscal year 2022.

Maintaining In-state Tuition for Spouses and Dependents of Certain Military Service Members

A.6249-A Buttenschon, Chapter 604 of the Laws of 2021. This law provides that a student, enrolled at SUNY or CUNY, who is the spouse or the dependent of a full-time active duty service member, shall be eligible for in-state tuition when the service member is stationed elsewhere immediately following being stationed in New York.

Modifying Admission Requirements for Graduate-Level Teacher and Educational Leader Programs

A.7490 Glick, Chapter 626 of the Laws of 2021. This law increases the maximum percentage of incoming students that a graduate-level teacher and educational leader program can exempt from statutorily defined admissions criteria from 15% to 50%.

A.7491-A Glick, Chapter 620 of the Laws of 2021. This law removes the requirement that applicants admitted into a graduate level teacher and educational leader programs must achieve a minimum GRE score.

Eliminating Single-Use Plastics at SUNY and CUNY

A.7564 Burke, Chapter 553 of the Laws of 2021. This law directs SUNY and CUNY board of trustees to adopt policies that would require their institutions to collaborate with students, faculty and staff to encourage campuses to eliminate the use of certain single-use plastic items.

Authorizing SUNY Delhi to Exchange Land with the College Foundation of Delhi

A.7692 Miller, B., Chapter 479 of the Laws of 2021. This law authorizes SUNY Delhi to exchange land in the Town of Delhi with the College Foundation of Delhi for the purpose of building a hotel to support the college's hospitality management program.

Expanding MERIT Scholarship Eligibility

A.7685 Barrett, Chapter 611 of the Laws of 2021. This law expands access to the Military Enhanced Recognition, Incentive and Tribute (MERIT) Scholarship by removing the requirements of military service occurring on or after August 2, 1990 and in a combat zone.

III. LICENSED PROFESSIONS

A. Highlights

New York State currently licenses 54 professions under Title VIII of the Education Law. Legislation to license a new profession or alter the practice of an existing profession falls under the jurisdiction of the Committee on Higher Education. SED, through its Office of the Professions, regulates the practice of licensed professions on an ongoing basis.

An essential component of the monitoring process is to ensure that existing standards and qualifications reflect current practices and needs, especially in light of shifting demographics and rapidly changing technologies. Each year, the Committee reviews numerous pieces of legislation that propose to change the scope of practice of currently licensed professions. Ensuring that any modification to current professional standards is thoroughly examined and appropriately executed provides a means by which the Committee fulfills its obligations to protect the well-being of the public.

This year's Executive budget included several provisions that would modify professions under the Committee's jurisdiction. The final budget did not include provisions to:

- allow public accountancy firms to have minority ownership of up to 49 percent by individuals who are not licensed as certified public accountants or public accountants and require non-licensee owners to pay an annual \$300 fee to SED;
- authorize pharmacists to: prescribe and substitute drugs in certain circumstances; direct, order and administer limited clinical labs; and act as a referring healthcare provider for diabetes self-management education and asthma self-management training;
- expand the Collaborative Drug Therapy Management (CDTM) program to: include nurse practitioners and entities that provide direct patient care under the auspices of a medical director; create new eligibility requirements for pharmacist participation in CDTM; and make

- the program permanent; and
- expand the list of immunizations that pharmacists may administer.

The 2021-22 enacted state budget included a clarification of defense and indemnification for certain physicians acting on behalf of the state.

Enhancing SED's Disciplinary Authority for Licensed Professionals

A.5495 Glick, Passed Assembly. This bill would require licensed professionals to report any conviction of a crime, determination of professional misconduct, or adverse employment action to SED within thirty days and would establish a summary suspension process after a determination that the public health, safety or welfare imperatively requires emergency action against a professional license or registered entity.

Authorizing Optometrists to Prescribe Certain Medications

A.1921 Paulin, Chapter 506 of the Laws of 2021. This law authorizes licensed optometrists to prescribe certain oral medications, including antibiotics, anti-glaucoma agents and antiviral agents. Qualified optometrists are required to complete an additional eighteen hours of continuing education related to systemic disease and therapeutic treatment per triennial registration period. Optometrists graduating prior to January 1, 2022 are required to complete an oral therapeutic pharmaceutical agent certification course and examination prior to using or prescribing such medications.

Professional Reporting to SED

A.3050 Fahy, Chapter 702 of the Laws of 2021. This law requires SED to collect information from certain healthcare professionals at each registration renewal. The law also requires SED to consult with DOH to identify the information necessary to evaluate access to needed services in the state, including the location and type of setting in which the professional practices.

Expanding the Practice of Applied Behavioral Analysis

A.3523-A Peoples-Stokes, Chapter 818 of the Laws of 2021. This law expands the scope of practice of licensed behavioral analysts by authorizing them to provide treatment to individuals with behavioral health conditions that appear in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM), pursuant to a diagnosis and prescription or order.

Authorizing Summer Camps to Hire Certain Licensed Professionals

A.4801-A Abinanti, Chapter 289 of the Laws of 2021. This law authorizes children's overnight, summer day, and traveling summer day camps to hire licensed psychologists, social workers, or mental health practitioners to provide mental health services. The law also authorizes camps for children with developmental disabilities to hire licensed chiropractors, physical therapists, physical therapy assistants, occupational therapists, speech language pathologists, audiologists, athletic

trainers, or behavioral analysts to provide professional services. These professionals may provide services at camps from June 1st to September 15th.

Requiring Veterinarians to Report Suspected Animal Cruelty

A.5823-A Rosenthal, L., Chapter 546 of the Laws of 2021. This law requires veterinarians to report and disclose records of suspected incidents of animal cruelty to an officer or agent authorized to investigate such complaints.

Authorizing Pharmacists to Administer Certain Immunizations

A.6476-A Hyndman, Chapter 555 of the Laws of 2021. This law authorizes physicians and certified nurse practitioners to prescribe and order a patient specific order or non-patient specific regimen to a licensed pharmacist to administer immunizations for hepatitis A, hepatitis B, human papillomavirus, measles, mumps, rubella, varicella, and other adult immunizations recommended by the Centers for Disease control, provided that the Commissioner of Health, in consultation with the Commissioner of Education, determines that such immunization meets certain standards.

The law also removes the requirement that the physician or nurse practitioner have a practice site in the county or adjoining county to where the immunization is being administered. Under the law, an administering pharmacist is required to report immunizations to DOH through the statewide or citywide registry.

Authorizing Professionals Appointed by the World Triathlon Corporation

A.6696-A Simpson, Chapter 172 of the Laws of 2021. This law authorizes certain health care professionals who are licensed in another state or territory, who are in good standing in such state or territory, and who have been appointed by the World Triathlon Corporation, to provide services to participating athletes at the Ironman Lake Placid, being held on July 25, 2021.

Requirements for a License as a Professional Engineer

A.6809 Glick, Chapter 465 of the Laws of 2021. This law updates education and experience requirements for licensing professional engineers. Under the law, a minimum of a bachelor's degree, or the substantial equivalent, is required for licensure. The law also includes technical amendments and limited exceptions for individuals who pursued alternate licensure pathways prior to the law's passage.

Extending Certain Exemptions for Mental Health Practitioners, Psychologists, and Social Workers

A.7405-A Bronson, Chapter 159 of the Laws of 2021. This law extends, for one year, the exemption for persons employed by a program or service of certain state agencies from certain social work, mental health, and psychology licensure requirements.

Authorizing Professionals Appointed by the New York Road Runners

A.7565 Clark, Chapter 230 of the Laws of 2021. This law authorizes certain health care professionals who are licensed in another state, who are in good standing in such state, and who have been appointed by the New York Road Runners, to provide professional services at certain events sanctioned by the New York Road Runners: the New York City Marathon on November 7, 2021; the Brooklyn Half Marathon on May 15, 2021 and a date in May 2022; the Bronx 10k on October 10, 2021 and the New York City Half Marathon on a date in March 2022.

Updating Continuing Education Requirements for Architects

A.7604 Glick, Chapter 578 of the Laws of 2021. This law updates continuing education requirements for architects. Under the law, licensees are authorized to take a greater variety of continuing education courses and transfer up to six credits from one registration period to the next. The law authorizes SED to exempt licensees from continuing education requirements for good cause shown. Finally, the law removes the continuing education exemption for all new licensees.

IV. PUBLIC HEARINGS

The Impact of COVID-19 on the Delivery of Health Care and the Health Care Workforce

November 17, 2021
NYC

The Assembly Standing Committees on Higher Education, Health and Labor convened a joint hearing and received testimony examining how the COVID-19 pandemic has changed the delivery of health care and its impact on the health care workforce. Specifically, the Committees sought testimony from stakeholders across the State to assess the lessons learned during the pandemic, including the appropriateness of Executive Orders issued by the Governor during the declared emergency period as it relates to access to health care and training requirements of health care workers. Additionally, the Committees welcomed testimony to examine the status of the health care workforce, including rates of attrition, worker wellness, training and development programs, and the effect of telehealth on access to care for patients and providers.

Individuals who testified at the hearing include: Adam Herbst, Special Advisor to the Commissioner on Aging and Long Term Care, Department of Health (DOH); Bea Grause, President, Healthcare Association of NYS (HANYS); Tim Johnson, Senior VP & Executive Director, Center for GME Policy and Services, Greater NY Hospital Association (GNYHA); Helen Schaub, Interim Political Director, 1199 SEIU United Health Care Workers East; Pat Kane, Executive Director, NYS Nurses Association (NYSNA); Hae-Lin Choi, NYS Legislative and Political Director, Communication Workers of America (CWA); Amy Lee Pacholk, Stony Brook Medicine, NY Public Employees Federation (PEF); Abdallahi Diop, SUNY Downstate, PEF; Dr. Michael Zingman, NY Regional Vice President, Committee of Interns and Residents (CIR) SEIU; Jean Moore, Director, Center for Health Workforce Studies; Dr. Rhonda Maneval, Vice Dean and Professor, Pace University; Mary Mitchell, Advocacy Liaison, NYS Area Health Education Center System; Jo Wiederhorn, CEO, Associated Medical Schools of NY; Dr. Niraj Acharya, Delegate, Medical Society of the State of New York (MSSNY); Dr. Chris Campese, President, NYS Society of Anesthesiologists; Dr. Chantel Pyram-Vincent, District Director, NYS Society of Anesthesiologists; Dr. Eric Wei, Senior Vice President and Chief Quality Officer, NYC Health + Hospitals; Deb Brown, Senior Vice President External and Regulatory Affairs, NYC Health + Hospitals; Rose Duhan, President & CEO, Community Health Care Association of New York State; Jeff Morris, CEO, American Board of Physician Specialties; Giovanna Mahar, President, NYS Association of Nurse Anesthetists; Maureen C. Regan, Immediate Past President, NYS Society of Physician Assistants; Stephen Ferrara, Executive Director, Nurse Practitioner Association of NYS; Melissa Wendland, Director Strategic Initiatives, Common Ground Health; Ann Monroe, Community and Consumer Advocate; and Kathy Febraio, President/CEO, NYS Association of Health Care Providers.

Testimony from the hearing emphasized the challenges that the pandemic posed on the health care system and its workers. As emergency orders and closures were put into place, the

provision of telehealth services expanded exponentially. According to the Department of Health, a downstate health system that conducted 800 telehealth visits between March 1, 2019 and March 1, 2020 experienced 121,000 visits in the first 18 days of March 2020. With this significant rise, stakeholders noted that telehealth comes with its own set of challenges, including patient accessibility to smartphones, cameras, internet connection, and language interpreters and limited technology proficiency amongst older patients.

Additionally, witnesses testified to the status of the health care workforce. Consistent with nationwide trends, testifiers cited staffing shortages, mandatory overtime, and burnout as significantly impacting worker wellness. Stakeholders requested measures such as incentives to attract and retain staff, increased investment in the health care profession training pipeline, and the expansion of certain Executive Orders enacted during the pandemic.

The Impact of the COVID-19 Pandemic on the Future of Higher Education

November 30, 2021
Albany, NY

The Assembly Standing Committee on Higher Education convened a hearing and received testimony exploring how colleges and universities in New York have adapted during the COVID-19 pandemic and the long term outlook for higher education. The Committees sought testimony from stakeholders on how the pandemic changed higher education as it relates to instruction, admissions, enrollment, retention, student life, and career services. The Committee also accepted testimony on the strategies and measures institutions of higher education have taken in these areas and the lessons learned moving forward.

Individuals who testified at the hearing include: Chancellor Félix V. Matos Rodríguez, CUNY; Chancellor Jim Maltras, SUNY; Commissioner Betty A. Rosa, SED; Dr. Jim Baldwin, Senior Deputy Commissioner for Education Policy, SED; Dr. Bill Murphy, Deputy Commissioner for Higher Education, SED; Dr. Guillermo Linares, President, HESC; Andrew Pallotta, President, New York State United Teachers (NYSUT); Dr. Frederick E. Kowal, President, United University Professions (UUP); James Davis, President, Professional Staff Congress (PSC); Bradley Hershenson, President, SUNY Student Assembly; Lola W. Brabham, President, Commission on Independent Colleges & Universities (CICU); Deidra Nesbeth, Director, Foster Youth Success Alliance at Children’s Aid; and Ann Harington, Executive Director, New York Organization of Nurse Executives and Leaders (NYONEL).

Testimony from the hearing revealed the range of measures colleges and universities took to adapt to the pandemic. The impact of the pandemic was particularly pronounced in terms of teaching

modalities. CUNY provided that in Fall 2019, 5.5% of classes were hybrid, 89.5% were in person, and 5% online. By Fall 2021, classes at CUNY were 28.1% hybrid, 12.9% in person and 59% online. Teachers and staff had to abruptly pivot to remote learning, and according to the Professional Staff Congress, instructors faced larger rosters as the system also experienced layoffs and attrition.

Throughout the hearing, witnesses stressed the importance of continued investments in our institutions of higher education, including the State's teaching hospitals. United University Professions highlighted the recent work of frontline health care workers at SUNY's public teaching hospitals and requested additional state support. SUNY testified that investments in student supports and services, such as mental health and childcare, have enhanced access to higher education to a wider range of students.

To examine the overall impact and implementation of the enacted 2021-2022 State Budget as it relates to direct and indirect funding of workforce development programs administered by various State entities

December 13, 2021
Albany, NY

The Assembly Standing Committees on Economic Development, Job Creation, Commerce and Industry, Higher Education, Labor, Small Business, and the Commission on Skills Development and Career Education held a hearing related to workforce development. Specifically, the Committees and Commission convened the hearing to examine the overall impact and implementation of the enacted 2021-2022 State Budget as it relates to direct and indirect funding of workforce development programs administered and/or funded by various State entities.

Individuals who testified at the hearing include: Dr. DeAnna Burt-Nanna, President, Monroe Community College; Melinda Mack, Executive Director, New York Association of Training and Employment Professionals (NYATEP); Samir Fayyaz, Workforce Development Consultant, 1199 SEIU; Martha Ponge, Director of Apprenticeships, Manufacturers Association of NY (MACNY); Dan Cullen, Director of Field Services, Workforce Development Institute; Rodric Cox-Cooper, Regional Director, Workforce Development Institute; Aimee Durfee, Director of Workforce Innovation, CenterState CEO; Adrian Hale, Senior Manager, Greater Rochester Chamber of Commerce; Kereem Berry, Executive Director, Multi-Craft Apprenticeship Preparation Program Inc.; Simeon Banister; Executive Vice President, Rochester Area Community Foundation; Rigaud Noel, Executive Director, New Settlement; David Mathis, Director of Workforce Development, Oneida County Workforce Development; and Dina Faticone, Chief Program Officer, Common Ground Health.

Testimony from the hearing revealed the pandemic's toll on the workforce, and the challenge of getting hundreds of thousands of New Yorkers back in the labor market. The New York Association of Training and Employment Professionals (NYATEP) testified that factors such as unavailability of affordable childcare, transportation, and paid training make participation in workforce development initiatives especially challenging. Witnesses throughout the day highlighted the potential of partnerships with the State's colleges and universities. CUNY's 2020 Upskilling Initiative, which offers no-cost virtual training and employer partnerships, has trained over 10,000 New Yorkers since its launch. Other testimony pointed to the State's Pathway to Technology Early College High School (PTECH) program as an important workforce development model.

V. OUTLOOK FOR 2022

As the Committee looks ahead to the upcoming 2022 Legislative Session, many of the traditional goals relative to higher education and the professions will continue to take precedence.

Foremost among the Committee's priorities for the 2022 session will be to secure funding during the upcoming fiscal year that is sufficient to meet the needs of SUNY, CUNY and the independent sector in order to support their unique educational missions. Due to the financial challenges brought on by the coronavirus pandemic, the goal of preserving access to higher education for students across New York State has never been so critical. By continuing to fight for funding for access programs, the Committee will promote the recognition of these highly successful educational services and assist more students in realizing their higher education aspirations. As always, the Committee will continue to focus on financial aid, including TAP, and ensure the availability of such assistance at current or enhanced levels. The Assembly Higher Education Committee is proud of this comprehensive financial aid program and will fight to continue its success in opening doors to college students throughout the State.

In 2022, the Committee will also address several important legislative issues. Among these will be measures relating to the licensed professions overseen by SED's Office of the Professions. Chief among these will be initiatives aimed at preserving the integrity of the individual professions and ensuring that professional competence translates into increased public protection and safety. The Committee will continue to study the evolution of existing professions to assess the possible need for statutory changes to reflect the changing needs of consumers.

APPENDIX A

PROFESSIONS LICENSED, CERTIFIED OR AUTHORIZED BY THE BOARD OF REGENTS

Acupuncture	Mental Health Practitioners
Applied Behavior Analysis	<ul style="list-style-type: none"> ● Creative Arts Therapist
<ul style="list-style-type: none"> ● Licensed Behavior Analysts 	<ul style="list-style-type: none"> ● Marriage and Family Therapist
<ul style="list-style-type: none"> ● Certified Behavior Analyst Assistants 	<ul style="list-style-type: none"> ● Mental Health Counselor
Architecture	<ul style="list-style-type: none"> ● Psychoanalyst
Athletic Training	Midwifery
Audiology	Nursing
Certified Shorthand Reporting	<ul style="list-style-type: none"> ● Registered Professional Nurse
Chiropractic	<ul style="list-style-type: none"> ● Nurse Practitioner
Clinical Laboratory Technology	<ul style="list-style-type: none"> ● Clinical Nurse Specialist
<ul style="list-style-type: none"> ● Clinical Laboratory Technologist 	<ul style="list-style-type: none"> ● Licensed Practical Nurse
<ul style="list-style-type: none"> ● Cytotechnologist 	Occupational Therapy
<ul style="list-style-type: none"> ● Clinical Laboratory Technician 	<ul style="list-style-type: none"> ● Occupational Therapist
<ul style="list-style-type: none"> ● Certified Histological Technician 	<ul style="list-style-type: none"> ● Occupational Therapy Assistant
Dentistry	Ophthalmic Dispensing
<ul style="list-style-type: none"> ● Dentist 	Optometry
<ul style="list-style-type: none"> ● Dental Anesthesia/Sedation 	Perfusion
<ul style="list-style-type: none"> ● Dental Hygienist 	Pharmacy
<ul style="list-style-type: none"> ● Certified Dental Assistant 	Registered Pharmacy Technician
Dietetics and Nutrition	Physical Therapy
Engineering	<ul style="list-style-type: none"> ● Physical Therapist
Geology	<ul style="list-style-type: none"> ● Physical Therapist Assistant
Interior Design	Podiatry
Land Surveying	Polysomnographic Technician
Landscape Architecture	Psychology
Massage Therapy	Public Accountancy
Medical Physics	<ul style="list-style-type: none"> ● Certified Public Accountant
Medicine	<ul style="list-style-type: none"> ● Public Accountant
<ul style="list-style-type: none"> ● Physician 	Respiratory Therapy
<ul style="list-style-type: none"> ● Physician Assistant 	<ul style="list-style-type: none"> ● Respiratory Therapist
<ul style="list-style-type: none"> ● Specialist's Assistant 	<ul style="list-style-type: none"> ● Respiratory Therapy Technician
Social Work	Veterinary Medicine

• Licensed Master Social Worker	• Veterinarian
• Licensed Clinical Social Worker	• Veterinary Technician
Speech-Language Pathology	

APPENDIX B

2021 SUMMARY SHEET

Summary of Action on All Bills Referred to the Committee on Higher Education

	<u>Assembly Bills</u>	<u>Senate Bills</u>	<u>Total Bills</u>
<u>Bills Reported Favorable To:</u>			
Codes	8	0	8
Judiciary	0	0	0
Ways and Means	9	0	9
Rules	11	0	11
Floor	2	0	2
<u>TOTAL:</u>	30	0	30
<u>Committee Action</u>			
Held for Consideration	5	0	5
Defeated	0	0	0
Enacting Clause Stricken	7	0	7
<u>Remaining in Committee</u>	299	42	341
<u>Bills Reference Changed:</u>			
Codes	1		
Ways and Means	1		
Total Number of Committee Meetings Held	6		