



2021 ANNUAL
REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON HIGHER EDUCATION



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TOBY ANN STAVISKY
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THE SENATE
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TOBY ANN STAVISKY
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VICE CHAIRWOMAN
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CHAIRWOMAN
COMMITTEE ON HIGHER
EDUCATION
COMMITTEE MEMBER
EDUCATION
ETHICS & INTERNAL
GOVERNANCE
FINANCE
JUDICIARY
RACING, GAMING,
& WAGERING

December 2021

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate’s Standing Committee on Higher Education for the 2021 Legislative Session. As Chairwoman, I am proud to continue to lead our efforts to address important matters under the committee’s jurisdiction. The committee remains committed to supporting New York’s higher education sector, as well as its oversight of professions licensed or seeking licensure by the state education department.

During the 2021 session, the committee met virtually seven times and reported fifty-five bills. The Committee also held a series of four hearings focused on Maintaining Quality, Equity & Affordability in Public Higher Education throughout the Pandemic and Beyond. At these hearings, we heard from SUNY and CUNY administration, staff and student advocacy groups on how COVID-19 has impacted higher education this past year, how to move forward and what we can do to keep the public higher education systems affordable and accessible to all, as well as maintaining high standards.

I want to thank the Majority Leader and Senate staff for their dedicated service. I also want to thank my colleagues who served on the Committee for their efforts and support of the work that was done this year.

Sincerely yours,

**2021 LEGISLATIVE SESSION REPORT
NEW YORK STATE SENATE**

STANDING COMMITTEE ON HIGHER EDUCATION

Senator Toby Ann Stavisky, Chairwoman

Committee Members

Majority

**Senator Jeremy A. Cooney
Senator James F. Gaughran
Senator Andrew S. Gounardes
Senator Robert Jackson Jr.
Senator John Liu
Senator Kevin S. Parker
Senator Gustavo Rivera**

Minority

**Senator Phil Boyle
Ranking Member
Senator Joseph A. Griffo
Senator Peter Oberacker**

Committee Staff

**Jan Dorman – Director
Nicole Stewart – Senior Counsel
Beth LaMountain – Committee Clerk
Marilyn Dyer – Executive Assistant**

COMMITTEE JURISDICTION

The New York State Senate Standing Committee on Higher Education has legislative responsibility for the review and development of legislation addressing postsecondary education for New York State. This includes legislation dealing with the professions licensed by the State Education Department.

The committee's jurisdiction, therefore, covers a broad range of areas including maintaining the quality and affordability of New York's public, independent, proprietary institutions, and trade schools continuing the state's long tradition of providing student financial aid programs, and providing institutional aid to all sectors of higher education. In addition, the committee plays a key role in program quality, access and opportunities for professional education, encourages academic and private sector cooperation, promotes research, and facilitates elementary and postsecondary partnerships. Furthermore, the committee is deeply involved with the process by which practitioners acquire, demonstrate and maintain professional skills. Another component of the committee's work is to consider change and expansion to the scope of practice of the state's professions licensed by the State Education Department (SED), as well as to consider the licensure of newly created professions.

Another important responsibility of the committee is to consider gubernatorial and mayoral nominations to the various boards, task forces and work groups within the higher education community.

COMMITTEE HIGHLIGHTS

During the 2021 Legislative Session, the committee continued virtual meetings due to COVID-19 pandemic restrictions. The committee reviewed two hundred and twenty bills. Of those bills, fifty-five were reported from the Committee. Forty-two passed the Senate, and fifteen passed in both houses. Of the fifteen, twelve of those bills have been chaptered and three wait to be sent to the Governor. The committee also approved 19 nominations, which were then reported to the Finance Committee for consideration and approval. This work was conducted through a series of seven committee meetings.

Some of the enacted laws this year included, **Senate Bill 4807 (Stavisky), Chapter 555 of 2021**, authorizes pharmacists to provide immunizations that are approved by the Centers for Disease Control and Prevention for patients eighteen years or older. The law allows an additional access point for pharmacists as immunizers. **Senate bill 1519 (Bailey), Chapter 506 of 2021**, relates to the prescribing of oral medications by optometrists. New York State was the 50th state to grant optometrists the authority to prescribe limited oral medications for the treatment of certain ocular diseases and will ensure that the optometrists are fully trained to fulfill this responsibility; **Senate bill 2981 (Persaud), Chapter 595 of 2021**, creates a firearm violence research institute. Congress eliminated funding for research and prevention through the Center for Disease Control and Prevention in 1996. Establishing a center for firearm violence research in New York State will help ensure a long-term effort towards understanding and preventing future firearm related violence against New Yorkers. A complete list of all enacted laws reported out of committee as well as nominations is provided at the end of this report.

In addition to the committee meetings, the Committee held a series of four in person hearings, "Maintaining Quality, Equity & Affordability in Public Higher Education throughout the Pandemic and Beyond" where SUNY and CUNY administration, staff and student advocacy groups reported on how COVID-19 has impacted higher education this past year and how they met the challenges. Committee members heard testimony about the effects of the pandemic on the students and the institutions. Other issues such as declining enrollment and funding were discussed.

Two House Bills

In 2021, fifteen bills of the two hundred and twenty bills referred to the Standing Committee on Higher Education passed both houses of the Legislature. Of these bills, the Governor has signed twelve and three are waiting to be sent to the Governor.

Bill	Sponsor	Summary	Action
S1519	BAILEY	Requires optometrists to meet certain standards, including the completion of a course, to prescribe oral medications. EFF. DATE 10/25/2023	SIGNED, CHAPTER 506
S1662B	SKOUFIS	Relates to the practice of applied behavior analysis.	SIGNED, CHAPTER 818
S2767A	KENNEDY	Establishes a private student loan refinance task force to study and report on ways lending institutions offering private student loans to graduates of institutions of higher education can be encouraged to establish student loan refinancing programs.	SIGNED, CHAPTER 774
S2981	PERSAUD	Creates a firearm violence research institute and a firearm violence research fund. EFF. DATE 02/06/2022	SIGNED, CHAPTER 595
S3541	STAVISKY	Relates to the education requirements for a license as a professional engineer.	SIGNED, CHAPTER 465
S3543	STAVISKY	Requires certain professionals to provide and the state education department to collect information about the practice of their professions.	SIGNED, CHAPTER 702
S4237A	STAVISKY	Prevents institutions from implementing contingencies on the receipt of state funding by preventing the use of language in agreements regarding mandatory arbitration, internal dispute processes, prohibiting class actions and prohibiting the disclosure of any information in the agreement to anyone.	SIGNED, CHAPTER 573
S4807A	STAVISKY	Authorizes pharmacists to provide immunizations which are	SIGNED, CHAPTER 555

		recommended by centers for disease control and prevention to patients eighteen years or older. EFF. DATE 01/31/2022	
S5023A	GIANARIS	Requires veterinarians to report suspected animal cruelty to the police, duly incorporated society for the prevention of cruelty to animals, peace officer, district attorney's office, animal control officer, department of agriculture and markets, or other appropriate government agency and to turn over necessary records; protects the identity of such veterinarians; allows such veterinarians to receive a copy of such report. EFF. DATE 02/27/2022	SIGNED, CHAPTER 546
S5666	STAVISKY	Increases the percentage of students from any incoming class who can be exempted from the admission requirements for graduate-level teacher and educational leader programs from no more than fifteen percent to fifty percent. EFF. DATE 11/15/2021	SIGNED, CHAPTER 626
S6431	BROUK	Extends for one year certain exemptions from professional licensure requirements for persons employed as mental health practitioners, psychologists and social workers in a program or service operated, regulated, funded, or approved by the department of mental hygiene, the office of children and family services, or a local governmental unit or social services district.	SIGNED, CHAPTER 159
S6600A	STAVISKY	Relates to SUNY admission requirements for graduate-level teacher and educational leader programs; removes the requirement for a minimum score on the graduate record examination or similar examination.	SIGNED, CHAPTER 620
S6783	COONEY	Relates to mandatory continuing education for architects; removes	SIGNED, CHAPTER 578

		<p>exemption from mandatory continuing education requirements for the triennial registration period when an architect is first licensed; allows no more than six continuing education hours taken during one triennium may be transferred to a subsequent triennium; makes related provisions. EFF. DATE 05/03/2023</p>	
S6815	KAVANAGH	<p>Encourages the elimination of the use of certain single use plastic items at state university of New York and city university of New York campuses.</p>	SIGNED, CHAPTER 553
S6890	MARTUCCI	<p>Authorizes the conveyance of real property at the State University of New York College at Delhi to the College Foundation at Delhi, Inc. to construct, maintain and operate a hotel to support the University's hospitality management program, in exchange for land owned by such foundation. EFF. DATE 10/08/2021</p>	SIGNED, CHAPTER 479

SUMMARY OF COMMITTEE ACTIVITY

Bill	Sponsor	Summary	Action
S485	KRUEGER	Requires certain health care providers to disclose the fact that the provider is on probation to current and new patients.	Passed the Senate
S552	MAYER	Relates to tuition assistance program awards for dual or concurrent enrollment coursework; awards dual or concurrent enrollment program awards for payment annually to school districts in which dual or concurrent enrollment programs are located.	Passed the Senate
S1137	LIU	Relates to observance of all religious holidays by institutions within the state university and the city university of New York, and includes the Asian Lunar New Year within the definition of such holidays.	Passed the Senate
S1352	SERRANO	Requires cultural awareness and competence training for medical professionals, including two hours of course work encompassing minority healthcare issues.	Passed the Senate
S1407	PARKER	Establishes the interagency task force on health literacy, to study health literacy and develop recommendations for improving health literacy in this state.	Passed the Senate
S1519	BAILEY	Requires optometrists to meet certain standards, including the completion of a course, to prescribe oral medications.	SIGNED, CHAPTER 506
S1520	BAILEY	Creates a commission to evaluate the need for community colleges to participate in the educational opportunity program.	Passed the Senate
S1662B	SKOUFIS	Relates to the practice of applied behavior analysis.	Passed both Houses
S2019	JACKSON	Makes technical corrections to the practice of podiatry	Passed the Senate
S2025	MAY	Permits certain registered pharmacy technicians assisting	Passed the Senate

		in home infusion services through a home care agency to assist a licensed pharmacist in preparing prescriptions	
S2204	MAY	Relates to the supervision of the manufacturing and repacking of certain medical gases or wholesaling of respiratory therapy agents	Passed the Senate
S2608	ADDABBO	Allows the granting of academic credit at state or city operated institutions to veterans.	Passed the Senate
S2764	STAVISKY	Standardizes the tuition assistance award schedules for dependent students at degree granting colleges in the state	Passed the Senate
S2765	STAVISKY	Standardizes the tuition assistance award schedules for independent students at degree-granting colleges in the state.	Passed the Senate
S2767A	KENNEDY	Establishes a private student loan refinance task force to study and report on ways lending institutions offering private student loans to graduates of institutions of higher education can be encouraged to establish student loan refinancing programs	Passed Both Houses
S2778	STAVISKY	Mandates that no employee or officer of the university shall determine the specific details of a student's immigration status except when required by federal law, pursuant to a court order or as required in connection with tuition or financial aid eligibility	Passed the Senate
S2981	PERSAUD	Creates a firearm violence research institute and a firearm violence research fund	SIGNED, CHAPTER 595
S3056	RIVERA	Makes certain provisions of the "nurse practitioners modernization act" permanent; eliminates certain administrative obligations	Advanced to Third Reading
S3064	SEPULVEDA	Relates to permitting individuals enrolled in the federal deferred action for childhood arrivals program to apply for professional licenses if they meet all	Advanced to Third Reading

		additional requirements	
S3330	RIVERA	Allows certified dietitians and nutritionists to order therapeutic diets	Passed the Senate
3448	HINCHEY	Relates to opioid overdose prevention in college housing; requires training of residence assistants in the administration of opioid antagonists	Passed the Senate
S3541	STAVISKY	Relates to the education requirements for a license as a professional engineer	SIGNED, CHAPTER 465
S3542	STAVISKY	Relates to the practice of professional geology	Passed the Senate
S3543	STAVISKY	Requires certain professionals to provide and the state education department to collect information about the practice of their profession	Passed Both Houses
S3686	FELDER	Permits persons 65 years of age to enroll in a limited number of state university and city university courses for credit without tuition	Reported to Finance Committee
S3763	PERSAUD	Provides for the licensing of vision impairment specialists	Passed the Senate
S3826	GRIFFO	Authorizes the state university trustees to offer separate tuition rates to certain non-resident undergraduate students attending the state university college of arts and sciences at Potsdam	Passed the Senate
S4082	HINCHEY	Relates to the eligibility under the New York state young farmers loan forgiveness incentive program; expands program to farmers who have produced agricultural products for no more than ten years	Passed the Senate
S4219	STAVISKY	Clarifies that the SUNY health science centers are included in the maintenance of effort provision pursuant to chapter 260 of the laws of 2011	Reported to the Finance Committee
S4221	STAVISKY	Relates to certified public accountants; requires that a majority of the ownership of a professional service corporation formed to lawfully engage in the	Passed the Senate

		practice of public accountancy are individuals licensed to practice public accountancy in some state; enacts similar provisions for partnerships and LLCs.	
S4237A	STAVISKY	Prevents institutions from implementing contingencies on the receipt of state funding by preventing the use of language in agreements regarding mandatory arbitration, internal dispute processes, prohibiting class actions and prohibiting the disclosure of an information in the agreement to anyone	SIGNED, CHAPTER 573
S4247	SKOUFIS	Permits the compounding, dispensing and sale of pharmaceuticals to veterinarians	Advanced to Third Reading
S4347A	BROUK	Provides for the licensure of school psychologists; authorizes the use of the title "school psychologist" to licensed or exempt individuals; defines practice of school psychology; sets forth requirements for professional licensure (including educational attainment, experience, exam and fee); provides for issuance of limited permits under specified circumstances; identifies exempt persons.	Passed the Senate
S4449	STAVISKY	Requires the higher education service corporation to make a determination of financial eligibility of a student for financial aid, awards and loans within 60 days from the day of the receipt of the financial aid application; where the higher education services corporation fails to make a timely determination the applicant shall be deemed eligible for such aid for the semester for which the application was made; allows for a 30 day extension if notice is given to the educational institution with the initial 60-day	Passed the Senate

		period	
S4533	BROUK	Allows disabled students to increase duration limits for student financial aid awards	Reported to the Senate Finance Committee
S4807A	STAVISKY	Authorizes pharmacists to provide immunizations which are recommended by centers for disease control and prevention to patients eighteen years or older	SIGNED, CHAPTER 555
S4972A	STAVISKY	Excludes certain graduate students from mandatory fees	Advanced to Third Reading
S5023	GIANARIS	Requires veterinarians to report suspected animal cruelty to the police, duly incorporated society for the prevention of cruelty to animals, peace office, district attorney's office, animal control officer, department of agriculture and markets, or other appropriate government agency and to turn over necessary records; protects the identity of such veterinarians; allows such veterinarians to receive a copy of such report	SIGNED, CHAPTER 546
S5104	LIU	Provides that if the net balance of the reimbursement account exceeds two million five hundred thousand dollars, any amount over two million five hundred thousand dollars shall be transferred to the proprietary vocational school supervision account	Reported to the Finance Committee
S5355A	BRESLIN	Provides for the licensing of genetic counselors; creates the state board for genetic counseling.	Passed the Senate
S5489	BROUK	Permits an exception from registration for nonresident pharmacies in cases of a specific patient need or a declared public health emergency under certain conditions	Passed the Senate
S5666	STAVISKY	Increases the percentage of students from any incoming class who can be exempted from the admission requirements for graduate-level teacher and education leader programs from no more than fifteen percent to	SIGNED, CHAPTER 626

		fifty percent	
S5722	THOMAS	Prohibits drugs from being dispensed unless a licensed pharmacist has verified that: the package contains the drug to be dispensed, whether the drug is packaged in a child-resistant container, whether a stock container is open and the quantity of the drug to be dispensed.	Passed the Senate
S5891C	PARKER	Relates to enacting the "New York collegiate athletic participation compensation act"; allows student-athletes to receive compensation including for the use of a student's name, image or likeness; allows student-athletes to seek professional representation; establishes the community college athlete name, image and likeness working group.	Passed the Senate
S6393	REICHLIN-MELNICK	Relates to the substitution of brand name epinephrine auto-injectors with alternate epinephrine auto-injectors in certain cases	Passed the Senate
S6399	HARCKHAM	Provides that a dental hygienist shall not administer local block anesthesia without a certificate and except under the personal supervision of a dentist and in conjunction with the performance of dental hygiene procedures authorized by law and in accordance with regulations promulgated by the commissioner.	Advanced to Third Reading
S6431	BROUK	Extends for one year certain exemptions from professional licensure requirements for persons employed as mental health practitioners, psychologists and social workers in a program or service operated, regulated, funded, or approved by the department of mental hygiene. the office of children and family services, or a local	SIGNED, CHAPTER 159

		governmental unit or social services district.	
S6517	STAVISKY	Enhances supports and services for student with disabilities for postsecondary success starting in the 2021-2022 academic year; funds shall be appropriated proportionally for each student with a disability enrolled in an institution of higher education	Passed the Senate
S6518	STAVISKY	Grants access to patient or client records for the Board of Professional Medical Conduct for the purpose of investigation and prosecution of professional licensing and misconduct proceedings.	Passed the Senate
S6529	STAVISKY	Prohibits discrimination, intimidation and retaliation against students of proprietary schools who file a written complaint or exercise their right of private action against a proprietary school.	Passes the Senate
S6600A	STAVISKY	Relates to SUNY admission requirements for graduate-level teacher and educational leader programs; removes the requirement for a minimum score on the graduate record examination or similar examination,	SIGNED, CHAPTER 620
S6694	HARCKHAM	Relates to infiltration anesthesia and nitrous oxide analgesia in the practice of registered dental assisting; authorizes dental assistant to place and remove temporary restorations under the supervision of a licensed dentist.	Passed the Senate
S6783	COONEY	Relates to mandatory continuing education for architects; removes exemption from mandatory continuing education requirements for the triennial registration period when an architect is first licensed; allows no more than six continuing education hours taken during one triennium may be transferred to a subsequent triennium; makes	SIGNED, CHAPTER 578

		related provisions.	
S6815	KAVANAGH	Encourages the elimination of the use of certain single use plastic items at state university of New York and city university of New York campuses.	SIGNED, CHAPTER 553
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COMMITTEE NOMINATIONS

The committee approved the following new appointment nominations:

Dr. Herminia Palacio, Trustee, CUNY Board of Trustees
 Angelo V. Vivolo, Trustee, CUNY Board of Trustees
 Oluwole McFoy, Member, SUNY College of Environmental Science and Forestry
 Kisha Santiago-Martinez, Member, State University Construction Fund
 Andrew Sherman, Member, Higher Education Service Corporation
 Alan Lee vanCapelle, Trustee, City University Construction Fund

The committee approved the following reappointment nominations:

Joseph Warren Belluck, Trustee, SUNY Board of Trustees
 Eunice A Lewin, Trustee, SUNY Board of Trustees
 Edward M. Spiro, Trustee, SUNY Board of Trustees
 Eric Corngold, Trustee, SUNY Board of Trustees
 Stanley S. Litow, Trustee, SUNY Board of Trustees
 Cesar A. Perales, Trustee, SUNY Board of Trustees
 Courtney E. Burke, Trustee, SUNY Board of Trustees
 Henry Berger, Trustee, CUNY Board of Trustees
 Jill O'Donnell-Tormey, PhD, Trustee, CUNY Board of Trustees
 Mayra S. Linares-Garcia, Trustee, CUNY Board of Trustees
 Kenneth M. Sunshine, Trustee, CUNY Board of Trustees
 Brian Oberfell, Trustee, CUNY Board of Trustees

Robert F. Mujica, Member, CUNY Board of Trustees



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STANDING COMMITTEE**

HIGHER EDUCATION