

## **DIAGNOSE PRIVILEGE APPLICATION – FORMS D Pathways and Guidelines**

The license for psychoanalysis (LP) requirements remain the same: completion of program education, 150 hours of supervision, completion of 1500 experience hours (750 direct/750 indirect), graduation, two exams, and first limited permit to complete the 1500-hour experience requirement. The LP limited permit is issued for 2 years, and may be renewed for a third year, and for an additional (4<sup>th</sup>) year thereafter (2/1/1).

### **PATHWAYS for GAINING THE DIAGNOSE PRIVILEGE:**

**1) Attestation:** for the diagnose privilege based on experience gained prior to June 24, 2022, *in exempt settings*, is available to applicants, with the LP, who have worked in OMH settings and agencies, for 3 years, post licensure. **Clarification:** Institutes become legal entities for diagnosis on June 24, 2024; they were *not included under the exemption* for diagnosis.

The exemption period for diagnosis began 2002 and ended on June 24, 2022. **Attestation of three years experience must be filed with the department by June 24, 2027.**

**Chapter 230 of the Laws of 2022 provided that LP holders could diagnose under supervision in OMH settings, or settings acceptable to the Department, until June 24, 2025. Only those who already hold the LP can engage in diagnosis under supervision in qualified settings.**

**2) New students** should enter programs and pursue the LP to licensure. To gain the diagnose privilege, apply for the second limited permit (diagnose) and complete the remainder of direct experience hours under a department approved supervisor and setting.

**3) Current Students** should continue to work toward the LP. Should the student wish to gain the diagnose privilege, following graduation AND receiving the LP, they should apply for the diagnose privilege limited permit to complete the direct hours of experience up to 2000 under a department approved supervisor and setting.

Candidates may count up to 1500 hours of direct experience obtained during the education program, toward the diagnose privilege requirement of 2000 direct hours. Unfinished hours leading to 2000 direct experience hours, post licensure (LP), will require the diagnose limited permit, with a department approved supervisor, and qualified setting, for completion of the Diagnose privilege. A minimum of 500 hours (determined by the direct hours accomplished in program – up to 1500) shall be completed under the Diagnose limited permit.

**4) Licensees by exam since January 1, 2007:** apply with FORMS D: provide all information requested, wait for department review of education and experience. ***Additional education may be required for the diagnostic privilege and additional experience in diagnosis will be required for the diagnostic privilege, unless the applicant will apply via attestation.***

**5) Licensees grand-parented between 2002-December 31, 2006:** apply with FORMS D: provide and submit all relevant documents as outlined in the Forms. Applications for grand-parented licensees will be reviewed on a case-by-case basis. ***Additional education may be required for the diagnostic privilege and additional experience in diagnosis will be required for the diagnostic privilege.***

#### **EDUCATION PROGRAM RE-CERTIFICATION:**

Licensure qualifying programs that will be eligible for the Diagnose privilege will need to increase to 60 semester hours, including 12

semester hours of coursework in diagnosis, from the current minimum 40 semester hour programs. Most programs already demonstrate this increased number of education hours. All programs will need recertification for Diagnose-eligible education.

**options:**

- 1) Add coursework to your existing LP program and submit to the Department of Education Evaluation for re-certification (new program).
- 2) Keep the original LP program intact. Create a 'Bridge' program that demonstrates additional required coursework, from 40 to 60 semester hours, including 12 semester hours of clinical coursework, including diagnosis and assessment-based treatment planning.

The NYS-SED Office of Comparative Education has sent communications and instructions for institutes regarding the (optional) program re-certification process. Please see the letter from Dr. Mei Zhou, Director, Division of Professional Education, dated February 23, 2024.

## **ADDITIONAL NOTES:**

**Recommendation:** *gain the LP license with minimum requirements for graduation: education eligible for the diagnose privilege, supervision, and satisfaction of minimum experience requirement.*

**DIAGNOSE PRIVILEGE**, after receiving the license (LP), apply for the Diagnose Privilege limited permit to continue direct experience hours under a department approved supervisor and qualified setting. Complete remainder of direct experience hours (earned in LP program) up to 2000 total direct experience hours. Direct experience hours from the LP program, beyond 1500, will not be counted to satisfy the 2000 hours of direct experience for the diagnose privilege.

**Supervisors:** *with psychoanalytic competence (certificate) are eligible to supervise in the LP setting for the LP direct experience requirements, up to 1500 direct hours, that may be counted toward the 2000 direct experience requirement for the diagnose privilege.*

**Only supervisors with the diagnose privilege may supervise direct experience hours under the diagnose limited permit.**

**Direct experience**, any, or all, of the experience requirements for the LP, up to 1500 hours, done in the program, may be counted toward the 2000 hours of direct experience requirement for the diagnose privilege.

**There are two (permanently) separate limited permits – LP and Diagnose.**

Each Article 163 license is eligible to gain a Diagnose privilege. The privilege for one license (profession) is non-transferrable to another mental health profession or Article 163 license.

Section 8410 of Education Law (Chapter 230 of the Laws of 2022)

Nothing in this section shall:

1. \*Prohibit or limit a mental health counselor, marriage and family therapist, or psychoanalyst licensed and registered pursuant to this article from engaging in diagnosis and the development of assessment-based treatment plans, as defined in section eighty-four hundred one of this article, in a facility setting or other supervised settings approved by the department under supervision in accordance with the commissioner's regulations.

\*NB Repealed June 24, 2025