

## Temporary Suspension of Provisions Relating to Payment of Fees for Duplicate State-Issued Documents

The following has been posted on our website at:

<http://www.op.nysed.gov/news/executive-order-21.htm>

### Temporary Suspension of Provisions Relating to Payment of Fees for Duplicate State-Issued Documents

In response to the historic flooding and other conditions caused by Hurricane Irene and subsequent storms, [Governor Cuomo issued Executive Order 21](#) on September 15, 2011 temporarily suspending certain fees charged by the Education Department for replacement documents lost as a result of the disaster. Until further notice, the fees charged by the Education Department's Division of Professional Licensing Services (DPLS) for issuing duplicate license parchments and registration certificates are suspended for the replacement of documents lost as a result of the disaster. Also suspended are the fees charged by the Professional Corporations unit, including fees for the certificate of authorization (COA) issued to professional engineering or land surveying services or for certification of other professional entities (e.g., professional corporation, professional limited liability corporation or professional limited liability partnership).

All requests for copies of any document or record on file with the Division of Professional Licensing Services or the Professional Corporations unit should indicate the document to be replaced was lost as a result of the disasters specified in Executive Order 21:

Counties Designated as Disaster Areas	
Albany	Orange
Bronx	Otsego
Broome	Putnam
Chenango	Queens
Chemung	Rensselaer
Clinton	Richmond
Columbia	Rockland
Delaware	Saratoga
Dutchess	Schenectady

Essex	Schoharie
Greene	Suffolk
Herkimer	Sullivan
Kings	Tioga
Montgomery	Ulster
Nassau	Warren
New York	Washington
Oneida	Westchester

## **Questions and Answers Regarding Safeguarding and Replacing Records**

**My professional records have been lost in a flood or fire or other disaster. What should I do? Will I face professional discipline charges if I do not have these records?**

Professional licensees should take reasonable steps to maintain professional records. Notwithstanding such reasonable efforts, it is possible that professional records may be lost as a result of a disaster, such as flood or fire. If professional records that you are required, and have taken reasonable steps, to maintain safely are damaged or lost due to a disaster that it was beyond your power to prevent, the licensee would generally not be subject to a charge of professional misconduct. You should try to establish a listing of such files as soon as possible after the disaster and record the circumstances and date of the loss for future reference.

A new professional record for current patients/clients should be established and be maintained.

**If I use a professional restoration service to preserve my professional records, would this be a violation of confidentiality if these persons were to see the records?**

While the records to be maintained may vary from profession to profession, licensees are generally required to maintain professional records and to make them available to patients and clients. Licensees are also prohibited from revealing to a third party personally identifiable information of a patient or client without prior consent. A licensee who uses a restoration service to preserve the records of a patient or client would generally not be subject to misconduct charges, if the licensee has taken reasonable steps to use a reputable and reliable restoration service, has provided such service with information on confidentiality requirements, and has obtained the

service's agreement to abide by such requirements.

**My license and/or registration form have been lost in a disaster. Can they be replaced?**

Yes. To replace a lost or destroyed license parchment, please write or call the Records and Archives Unit for an application to replace your license parchment: Office of the Professions, Division of Professional Licensing Services, Attn: Records & Archives Unit, State Education Building - 2nd floor, 89 Washington Avenue, Albany, New York 12234-1000, (518) 474-3817, ext. 380.

To replace a damaged, lost or destroyed registration certificate, you need to contact the Registration Unit and request a replacement application. On the replacement application you must state the circumstance under which your certificate was damaged, lost or destroyed, sign the application and return it to the State Education Department. To request a replacement application, contact the Registration Unit by e-mailing them at [opregfee@mail.nysed.gov](mailto:opregfee@mail.nysed.gov), calling them at 518-474-3817, ext. 410, or writing them at Office of the Professions, Division of Professional Licensing Services, Registration Unit, State Education Building - 2nd Floor, 89 Washington Avenue, Albany, New York 12234-1000.