

5733

2015-2016 Regular Sessions

I N   S E N A T E

June 1, 2015

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Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to including physical therapists and occupational therapists as telehealth providers

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 2 of section 2999-cc of the public health law,  
2     as added by chapter 6 of the laws of 2015, is amended to read as  
3     follows:  
4     2. "Telehealth provider" means:  
5     (a) a physician licensed pursuant to article one hundred thirty-one of  
6     the education law;  
7     (b) a physician assistant licensed pursuant to article one hundred  
8     thirty-one-B of the education law;  
9     (c) a dentist licensed pursuant to article one hundred thirty-three of  
10    the education law;  
11    (d) a nurse practitioner licensed pursuant to article one hundred  
12    thirty-nine of the education law;  
13    (e) a registered professional nurse licensed pursuant to article one  
14    hundred thirty-nine of the education law only when such nurse is receiv-  
15    ing patient-specific health information or medical data at a distant  
16    site by means of remote patient monitoring;  
17    (f) a podiatrist licensed pursuant to article one hundred forty-one of  
18    the education law;  
19    (g) an optometrist licensed pursuant to article one hundred forty-  
20    three of the education law;  
21    (h) a psychologist licensed pursuant to article one hundred fifty-  
22    three of the education law;  
23    (i) a social worker licensed pursuant to article one hundred fifty-  
24    four of the education law;

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 (j) a speech language pathologist or audiologist licensed pursuant to  
2 article one hundred fifty-nine of the education law;

3 (k) a midwife licensed pursuant to article one hundred forty of the  
4 education law;

5 (l) A PHYSICAL THERAPIST LICENSED PURSUANT TO ARTICLE ONE HUNDRED  
6 THIRTY-SIX OF THE EDUCATION LAW;

7 (M) AN OCCUPATIONAL THERAPIST LICENSED PURSUANT TO ARTICLE ONE HUNDRED  
8 FIFTY-SIX OF THE EDUCATION LAW;

9 (N) a person who is certified as a diabetes educator by the National  
10 Certification Board for Diabetes Educators, or a successor national  
11 certification board, or provided by such a professional who is affil-  
12 iated with a program certified by the American Diabetes Association, the  
13 American Association of Diabetes Educators, the Indian Health Services,  
14 or any other national accreditation organization approved by the federal  
15 centers for medicare and medicaid services;

16 [(m)] (O) a person who is certified as an asthma educator by the  
17 National Asthma Educator Certification Board, or a successor national  
18 certification board;

19 [(n)] (P) a person who is certified as a genetic counselor by the  
20 American Board of Genetic Counseling, or a successor national certif-  
21 ication board;

22 [(o)] (Q) a hospital as defined in article twenty-eight of this chap-  
23 ter;

24 [(p)] (R) a home care services agency as defined in article thirty-six  
25 of this chapter;

26 [(q)] (S) a hospice as defined in article forty of this chapter; and

27 [(r)] (T) any other provider as determined by the commissioner pursu-  
28 ant to regulation.

29 S 2. This act shall take effect on the same date and in the same  
30 manner as chapter 550 of the laws of 2014 takes effect.