

STATE OF NEW YORK

8256

2019-2020 Regular Sessions

IN ASSEMBLY

June 10, 2019

Introduced by M. of A. GOTTFRIED -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to consideration and prescription of non-opioid treatment alternatives for treatment of neuromusculoskeletal conditions

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 3331 of the public health law is amended by adding
2 a new subdivision 9 to read as follows:

3 9. (a) When a patient seeks treatment for any neuromusculoskeletal
4 condition that causes pain, a practitioner shall consider, discuss with
5 the patient, and, as appropriate, refer or prescribe non-opioid treat-
6 ment alternatives, based on the practitioner's clinical judgment and
7 following generally accepted national professional or treatment guide-
8 lines, and consistent with patient preference and consent, before start-
9 ing a patient on opioid treatment. For the purposes of this subdivision,
10 non-opioid treatment alternatives include, but are not limited to:
11 acupuncture, chiropractic, massage therapy, physical therapy, occupa-
12 tional therapy, cognitive behavioral therapy, non-opioid medications,
13 and non-clinical activities such as exercise. The practitioner shall
14 inform the patient that some treatments may not be covered by the
15 patient's health coverage.

16 (b) The requirements of this subdivision shall not apply for patients
17 being treated under any of the following circumstances: treatment of
18 cancer; hospice or other end-of-life care; post-surgery treatment imme-
19 diately following a surgical procedure; or in a medical emergency. For
20 purposes of this subdivision, "medical emergency" means an acute injury
21 or illness that poses an immediate risk to a person's life or health.

22 § 2. This act shall take effect immediately.

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

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