

STATE OF NEW YORK

9467--A

IN ASSEMBLY

March 7, 2022

Introduced by M. of A. GOTTFRIED -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to modifying the definition of telehealth provider

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

1 Section 1. Paragraph (z) of subdivision 2 of section 2999-cc of the
2 public health law, as amended by section 1 of part V of chapter 57 of
3 the laws of 2022, is amended to read as follows:

4 (z) any [~~other provider as determined by the commissioner pursuant to~~
5 ~~regulation or, in consultation with the commissioner, by the commission-~~
6 ~~er of the office of mental health, the commissioner of the office of~~
7 ~~addiction services and supports, or the commissioner of the office for~~
8 ~~people with developmental disabilities pursuant to regulation]~~ health
9 care provider who:

10 (i) possesses the requisite license, certification, registration,
11 authorization or credentialing to provide a health care service in New
12 York state; and

13 (ii) reasonably determines that it is clinically appropriate to deliv-
14 er such health care service via telehealth.

15 § 2. Paragraph (y) of subdivision 2 of section 2999-cc of the public
16 health law, as amended by section 3 of part F of chapter 57 of the laws
17 of 2021, is amended to read as follows:

18 (y) any [~~other provider as determined by the commissioner pursuant to~~
19 ~~regulation or, in consultation with the commissioner, by the commission-~~
20 ~~er of the office of mental health, the commissioner of the office of~~
21 ~~addiction services and supports, or the commissioner of the office for~~
22 ~~people with developmental disabilities pursuant to regulation]~~ health
23 care provider who:

24 (i) possesses the requisite license, certification, registration,
25 authorization or credentialing to provide a health care service in New
26 York state; and

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

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1 (ii) reasonably determines that it is clinically appropriate to deliv-
2 er such health care service via telehealth.

3 § 3. This act shall take effect immediately, provided, however, that
4 the amendments to paragraph (z) of subdivision 2 of section 2999-cc of
5 the public health law made by section one of this act shall be subject
6 to the expiration and reversion of such paragraph pursuant to section 7
7 of part V chapter 57 of the laws of 2022, as amended, when upon such
8 date the provisions of section two of this act shall take effect.