

STATE OF NEW YORK

4612

2025-2026 Regular Sessions

IN SENATE

February 10, 2025

Introduced by Sens. RAMOS, JACKSON -- read twice and ordered printed,
and when printed to be committed to the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to including
coverage of treatment rendered by a massage therapist

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

1 Section 1. Paragraph (m) of subdivision 1 of section 13-b of the work-
2 ers' compensation law, as added by section 1 of part CC of chapter 55 of
3 the laws of 2019, is amended and a new paragraph (f-1) is added to read
4 as follows:

5 (f-1) "Massage therapist" shall mean licensed and having completed a
6 formal course of study and having passed an examination in accordance
7 with the education law, the regulations of the commissioner of educa-
8 tion, and the requirements of the board of regents.

9 (m) "Provider" shall mean a duly licensed acupuncturist, chiropractor,
10 massage therapist, nurse practitioner, occupational therapist, physical
11 therapist, physician, physician assistant, podiatrist, psychologist, or
12 social worker authorized by the chair.

13 § 2. Paragraphs (d) and (e) of subdivision 2 of section 13-b of the
14 workers' compensation law, as added by section 1 of part CC of chapter
15 55 of the laws of 2019, are amended to read as follows:

16 (d) Upon the prescription or referral of an authorized physician,
17 physician assistant, podiatrist, or nurse practitioner acting within the
18 scope of [~~his or her~~] their practice, care or treatment may be rendered
19 to an injured employee by an authorized physical therapist, occupational
20 therapist [~~or~~], acupuncturist or massage therapist provided the condi-
21 tions and the treatment performed are among the conditions that the
22 physical therapist, occupational therapist [~~or~~], acupuncturist or
23 massage therapist is authorized to treat pursuant to the education law
24 or the regulations of the commissioner of education. Where any such care
25 or treatment is rendered, records of the patient's condition and

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

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1 progress, together with records of instruction for treatment, if any,
2 shall be maintained by the physical therapist, occupational therapist
3 ~~[or]~~ acupuncturist or massage therapist rendering treatment and by the
4 referring physician, physician assistant, podiatrist, or nurse practi-
5 tioner. Said records shall be submitted to the chair on forms and at
6 such times as the chair may require.

7 (e) A record, report or opinion of a physical therapist, occupational
8 therapist, acupuncturist, massage therapist or physician assistant shall
9 not be considered as evidence of the causal relationship of any condi-
10 tion to a work related accident or occupational disease under this chap-
11 ter. Nor may a record, report or opinion of a physical therapist, occu-
12 pational therapist ~~[or]~~ acupuncturist or massage therapist be
13 considered evidence of disability. Nor may a record, report or opinion
14 of a physician assistant be considered evidence of the presence of a
15 permanent or initial disability or the degree thereof.

16 § 3. This act shall take effect on the thirtieth day after it shall
17 have become a law.