STATE OF NEW YORK

9521

IN ASSEMBLY

January 19, 2018

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

AN ACT to amend the social services law, in relation to telehealth under medical assistance; and to repeal article 29-G of the public health law relating to telehealth delivery of services

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

Section 1. Article 29-G of the public health law is REPEALED.

§ 2. The section heading and subdivision 2 of section 367-u of the social services law, the section heading as added by section 63-c of part C of chapter 58 of the laws of 2007, subdivision 2 as amended by chapter 6 of the laws of 2015, are amended to read as follows:

Payment for [~~home~~] telehealth services.

2. **(a)** Subject to federal financial participation and the approval of the director of the budget, [~~the commissioner shall not exclude from the payment of medical assistance funds the delivery of health care services through telehealth, as defined in subdivision four of section two thousand nine hundred ninety-nine-cc of the public health law~~] **medical assistance shall not exclude from coverage a service that is otherwise covered under medical assistance because the service is delivered via telehealth**. Such services shall meet the requirements of federal law, rules and regulations for the provision of medical assistance pursuant to this title.

(b) For purposes of this subdivision, "telehealth" means the use of electronic information and communication technologies by a health care provider to deliver health care services to an individual while such individual is located at a site that is different from the site where the health care provider is located.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

LBD14094-01-8