STATE OF NEW YORK

4846

2019-2020 Regular Sessions

IN ASSEMBLY

February 5, 2019

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

AN ACT to amend the social services law, in relation to providing extended speech, physical or occupational therapy under Medicaid

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

Section 1. Paragraph (h) of subdivision 2 of section 365-a of the social services law, as amended by section 5 of part A of chapter 57 of the laws of 2018, is amended to read as follows:

(h) speech therapy, and when provided at the direction of a physician or nurse practitioner, physical therapy including related rehabilitative services and occupational therapy; provided, however, that speech therapy and occupational therapy each shall be limited to coverage of twenty visits per year **unless the professional at whose direction the therapy or services are provided or the provider of the therapy or services attests to the medical necessity of additional visits**; physical therapy shall be limited to coverage of forty visits per year **unless the professional at whose direction the therapy or services are provided or the provider of the therapy or services attests to the medical necessity of additional visits**; such limitation shall not apply to persons with developmental disabilities or, notwithstanding any other provision of law to the contrary, to persons with traumatic brain injury;

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided that, effective immediately, the addition, amendment, and/or repeal of any rules and regulations necessary to implement the provisions of this act on its effective date are authorized and directed to be completed on or before such effective date.

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

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