STATE OF NEW YORK

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8256

2019-2020 Regular Sessions

IN ASSEMBLY

June 10, 2019
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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.