STATE OF NEW YORK

4763

2019-2020 Regular Sessions

IN SENATE

March 25, 2019

Introduced by Sen. RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to establish a task force to conduct a comprehensive study on the ability to utilize telehealth within the workers' compensation system; and providing for the repeal of such provisions upon the expiration thereof

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

Section 1. Legislative intent. The legislature recognizes due to geographic restrictions, provider shortages, inclement weather, restricted patient mobility and the lack of authorized workers' compensation medical providers that have familiarity with the language spoken by injured workers, patients face challenges in accessing health care providers and health care services. It is critically important that injured workers are provided with the ability to receive quality medical care in an efficient and expeditious manner. Telehealth is a valuable tool in improving the continuity, coordination, and efficiency of care for rural and underserved populations.

To date, there has not been a comprehensive study conducted in New York state to examine the efficacy of telehealth for injured workers seeking workers' compensation benefits in rural and underserved areas. The legislature therefore supports the commissioning of such a study in order to assess the effectiveness in allowing health care services to be provided by telehealth.

§ 2. A task force is hereby established to conduct a comprehensive study on the ability to utilize telehealth within the workers' compensation system. The scope of such study shall include:

a. the determination of the feasibility of implementation of telehealth for medical exams for workers' compensation claims that ensures injured workers protection and access to quality care;

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

LBD03941-01-9

b. the ability to diagnose through telehealth and remain within the treatment guidelines set by the workers' compensation board;

c. the cost impact on employers;

d. the ability to prevent fraud; and

e. any other related information that the chairman of the workers' compensation board may deem necessary or relevant in carrying out this study.

§ 3. a. The task force shall consist of 7 members to be appointed as follows:

(1) 3 members appointed by the governor;

(2) 2 members appointed by the temporary president of the senate; and

(3) 2 members appointed by the speaker of the assembly.

b. The governor shall designate one of his or her appointees as the chair of the task force.

c. The members of the task force shall be composed of individuals with expertise in the workers' compensation system and/or the provision of health care services by telehealth.

d. The members of the task force shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties pursuant to this act.

§ 4. The task force shall make a report to the legislature of its findings, conclusions and recommendations on or before January 1, 2020.

§ 5. This act shall take effect immediately, and shall expire and be deemed repealed February 1, 2020.