

# STATE OF NEW YORK

4782

2023-2024 Regular Sessions

## IN SENATE

February 14, 2023

Introduced by Sens. RIVERA, KRUEGER -- read twice and ordered printed,  
and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to modifying the  
definition of telehealth provider

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

1 Section 1. Paragraph (z) of subdivision 2 of section 2999-cc of the  
2 public health law, as amended by section 1 of part V of chapter 57 of  
3 the laws of 2022, is amended to read as follows:

4 (z) any [~~other provider as determined by the commissioner pursuant to~~  
5 ~~regulation or, in consultation with the commissioner, by the commission-~~  
6 ~~er of the office of mental health, the commissioner of the office of~~  
7 ~~addiction services and supports, or the commissioner of the office for~~  
8 ~~people with developmental disabilities pursuant to regulation] health  
9 care provider who:~~

10 (i) possesses the requisite license, certification, registration,  
11 authorization or credentialing to provide a health care service in New  
12 York state; and

13 (ii) reasonably determines that it is clinically appropriate to deliv-  
14 er such health care service via telehealth.

15 § 2. Paragraph (y) of subdivision 2 of section 2999-cc of the public  
16 health law, as amended by section 3 of part F of chapter 57 of the laws  
17 of 2021, is amended to read as follows:

18 (y) any [~~other provider as determined by the commissioner pursuant to~~  
19 ~~regulation or, in consultation with the commissioner, by the commission-~~  
20 ~~er of the office of mental health, the commissioner of the office of~~  
21 ~~addiction services and supports, or the commissioner of the office for~~  
22 ~~people with developmental disabilities pursuant to regulation] health  
23 care provider who:~~

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

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1 (i) possesses the requisite license, certification, registration,  
2 authorization or credentialing to provide a health care service in New  
3 York state; and

4 (ii) reasonably determines that it is clinically appropriate to deliv-  
5 er such health care service via telehealth.

6 § 3. This act shall take effect immediately, provided, however, that  
7 the amendments to paragraph (z) of subdivision 2 of section 2999-cc of  
8 the public health law made by section one of this act shall be subject  
9 to the expiration and reversion of such paragraph pursuant to section 7  
10 of part V chapter 57 of the laws of 2022, as amended, when upon such  
11 date the provisions of section two of this act shall take effect.