STATE OF NEW YORK

1014

2023-2024 Regular Sessions

IN ASSEMBLY

January 13, 2023

Introduced by M. of A. LUNSFORD, STECK, FAHY, SIMON, AUBRY, FORREST, KELLES -- read once and referred to the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to permitting telemedicine services for mental and behavioral health issues under the workers' compensation system

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

Section 1. Section 13-m of the workers' compensation law is amended by adding a new subdivision 15 to read as follows:

15. Telehealth visits for psychological testing, treatment and counseling by psychiatrists, psychologists and licensed clinical social workers shall be permitted with one in-person visit within twelve months of the first video telehealth visit and within six months of the first audio-only telehealth visit unless (a) in the provider's professional judgment, an in-person visit service is likely to cause disruption in service delivery or has the potential to worsen the patient's condition, or (b) would create undue hardship upon the patient or their family. A finding of undue burden shall include consideration of whether travel to and from the in-person visit would cause undue financial burden or unreasonable physical or mental distress.

§ 2. This act shall take effect immediately.

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

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