

STATE OF NEW YORK

6334

2025-2026 Regular Sessions

IN ASSEMBLY

March 4, 2025

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

AN ACT to amend the public health law, in relation to expanding health-care services provided by telehealth

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

1 Section 1. Subdivision 1 of section 2999-dd of the public health law,
2 as amended by section 2 of part V of chapter 57 of the laws of 2022, is
3 amended to read as follows:
4 1. Health care services delivered by means of telehealth shall be
5 entitled to reimbursement under section three hundred sixty-seven-u of
6 the social services law on the same basis, at the same rate, and to the
7 same extent the equivalent services, as may be defined in regulations
8 promulgated by the commissioner, are reimbursed when delivered in
9 person; provided, however, that health care services delivered by means
10 of telehealth shall not require reimbursement to a telehealth provider
11 for certain costs, including but not limited to facility fees or costs
12 reimbursed through ambulatory patient groups or other clinic reimburse-
13 ment methodologies set forth in section twenty-eight hundred seven of
14 this chapter, if such costs were not incurred in the provision of tele-
15 health services due to neither the originating site nor the distant site
16 occurring within a facility or other clinic setting; and further
17 provided, however, reimbursement for additional modalities, provider
18 categories and originating sites specified in accordance with section
19 twenty-nine hundred ninety-nine-ee of this article, and audio-only tele-
20 phone communication defined in regulations promulgated pursuant to
21 subdivision four of section twenty-nine hundred ninety-nine-cc of this
22 article, shall be contingent upon federal financial participation.
23 Notwithstanding the provisions of this subdivision, for services
24 licensed, certified or otherwise authorized pursuant to article sixteen,
25 article thirty-one or article thirty-two of the mental hygiene law, such

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

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1 services provided by telehealth[~~7 as deemed appropriate by the relevant~~
2 ~~commissioner,~~] shall be reimbursed at the applicable in person rates or
3 fees established by law, or otherwise established or certified by the
4 office for people with developmental disabilities, office of mental
5 health, or the office of addiction services and supports pursuant to
6 article forty-three of the mental hygiene law, unless a specific service
7 is deemed inappropriate by the relevant commissioner.

8 § 2. This act shall take effect on the sixtieth day after it shall
9 have become a law, provided, however, that the amendments to subdivision
10 1 of section 2999-dd of the public health law made by section one of
11 this act shall not affect the expiration of such subdivision and shall
12 be deemed to expire therewith.