

STATE OF NEW YORK

6484--A

2025-2026 Regular Sessions

IN ASSEMBLY

March 5, 2025

Introduced by M. of A. WEPRIN, SEAWRIGHT, STECK -- read once and referred to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to physical and occupational therapy services

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

1 Section 1. Paragraph 23 of subsection (i) of section 3216 of the
2 insurance law, as added by chapter 593 of the laws of 2000, is amended
3 to read as follows:

4 (23) If a policy provides for reimbursement for physical and occupa-
5 tional therapy service which is within the lawful scope of practice of a
6 duly licensed physical or occupational therapist, an insured shall be
7 entitled to reimbursement for such service whether the said service is
8 performed by a physician or through a duly licensed physical or occupa-
9 tional therapist, provided however, that nothing contained herein shall
10 be construed to impair any terms of such policy including appropriate
11 utilization review and the requirement that said service be performed
12 pursuant to a medical order, or a similar or related service of a physi-
13 cian. Any copayment or coinsurance amount charged by an insurer to the
14 insured for services rendered by a physical therapist licensed under
15 article one hundred thirty-six of the education law or an occupational
16 therapist licensed under article one hundred fifty-six of the education
17 law shall not be more than twenty-five percent greater than the copay-
18 ment or coinsurance amount imposed for an office visit to a licensed
19 primary care physician or osteopath for the same or a similar diagnosed
20 condition.

21 § 2. Subparagraph (A) of paragraph 1 of subsection (f) of section 4235
22 of the insurance law is amended by adding a new clause (iii) to read as
23 follows:

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

LBD09380-02-5

1 (iii) a policy shall not impose a copayment or coinsurance amount
2 charged to the insured for services rendered by a physical therapist
3 licensed under article one hundred thirty-six of the education law or an
4 occupational therapist licensed under article one hundred fifty-six of
5 the education law that is more than twenty-five percent greater than the
6 copayment or coinsurance amount imposed for an office visit to a
7 licensed primary care physician or osteopath for the same or a similar
8 diagnosed condition.

9 § 3. Subparagraph (A) of paragraph 4 of subsection (f) of section 4235
10 of the insurance law, as amended by chapter 593 of the laws of 2000, is
11 amended to read as follows:

12 (A) any physical and occupational therapy service which is within the
13 lawful scope of practice of a licensed physical and occupational thera-
14 pist, a subscriber to such policy shall be entitled to reimbursement for
15 such service, whether the said service is performed by a physician or
16 licensed physical and occupational therapist pursuant to prescription or
17 referral by a physician. A policy shall not impose a copayment or coin-
18 surance amount charged to the insured for services rendered by a phys-
19 ical therapist licensed under article one hundred thirty-six of the
20 education law or an occupational therapist licensed under article one
21 hundred fifty-six of the education law that is more than twenty-five
22 percent greater than the copayment or coinsurance amount imposed for an
23 office visit to a licensed primary care physician or osteopath for the
24 same or a similar diagnosed condition;

25 § 4. Subparagraph (G) of paragraph 1 of subsection (b) of section 4301
26 of the insurance law, as amended by chapter 593 of the laws of 2000, is
27 amended to read as follows:

28 (G) physical and occupational therapy care provided through licensed
29 physical and occupational therapists upon the prescription of a physi-
30 cian, provided, however, that no copayment or coinsurance amount charged
31 to the insured for services rendered by a physical therapist licensed
32 under article one hundred thirty-six of the education law or an occupa-
33 tional therapist licensed under article one hundred fifty-six of the
34 education law shall be more than twenty-five percent greater than the
35 copayment or coinsurance amount imposed for an office visit to a
36 licensed primary care physician or osteopath for the same or a similar
37 diagnosed condition,

38 § 5. Paragraph 13 of subsection (b) of section 4322 of the insurance
39 law, as added by chapter 504 of the laws of 1995, is amended to read as
40 follows:

41 (13) Outpatient physical therapy up to ninety visits per condition per
42 calendar year, provided, however, that no copayment or coinsurance
43 amount charged to the insured for services rendered by a physical thera-
44 pist licensed under article one hundred thirty-six of the education law
45 or an occupational therapist licensed under article one hundred fifty-
46 six of the education law shall be more than twenty-five percent greater
47 than the copayment or coinsurance amount imposed for an office visit to
48 a licensed primary care physician or osteopath for the same or a similar
49 diagnosed condition.

50 § 6. This act shall take effect January 1, 2027.