

STATE OF NEW YORK

8680

IN SENATE

January 7, 2026

Introduced by Sen. C. RYAN -- 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 fair pricing for telehealth services

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

Section 1. Section 2830 of the public health law, as added by chapter 764 of the laws of 2022, is amended to read as follows:

§ 2830. Regulation of the billing of facility fees. 1. For the purposes of this section~~[7]~~:

(a) "Facility fee" ~~[means any amount charged or billed by a provider for professional health care services provided in a hospital-based facility]~~ shall have the same meaning as ascribed to such term by subdivision twelve of section twenty-eight hundred one of this article;

(b) "Distant site" shall have the same meaning as ascribed to such term by subdivision one of section twenty-nine hundred ninety-nine-cc of this chapter; and

(c) "Telehealth" shall have the same meaning as ascribed to such term by subdivision four of section twenty-nine hundred ninety-nine-cc of this chapter.

2. No hospital or health system or health care provider shall bill or seek payment from a patient for a facility fee that is not covered by the patient's health insurance carrier unless the patient was notified prior to the date of service that a facility fee would be applicable. If a health care provider enters into a business relationship with a hospital or health system that will result in the provider's patients being subject to facility fees, the health care provider must notify its patients of the change and that facility fees will now be applicable to services received from the health care provider. The notice shall be provided in writing at least seven days in advance of each date of service and shall explain the amount of the facility fee, the purpose of the facility fee, whether the patient's insurance plan will pay the facility fee, and for uninsured patients, how to apply for financial assistance. If advance written notice is infeasible because the visit

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

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1 was secured less than seven days in advance, then a written notice shall
2 be provided on the date the service is rendered. The notice shall be
3 provided in plain language in conspicuous twelve-point bold face type
4 and shall be available in the top six languages spoken in the hospital's
5 service area.

6 3. In no event shall a facility fee be charged for services;

7 (a) related to the provision of preventive care service as defined by
8 the United States Preventive Services Task Force; or

9 (b) when a hospital-based facility is a distant site for health care
10 services delivered by means of telehealth unless the service is provided
11 by a health care provider not authorized to bill a professional fee
12 separately for the service.

13 § 2. This act shall take effect immediately.