

APPROVAL MEMORANDUM - No. 35 Chapter 550

MEMORANDUM filed with Senate Bill Number 7852, entitled:

"AN ACT to amend the public health law, the insurance law and the social services law, in relation to the provision of telehealth services"

APPROVED

This bill would require healthcare insurers, including Medicaid, to pay for the delivery of covered services through telehealth and telemedicine technology. The use of telehealth as a resource to provide healthcare is expanding due to patient demographics and advances in technology. Healthcare practitioners are increasingly utilizing telehealth as an alternative to face-to-face encounters to assist patients with either physical limitations restricting their ability to travel or limited access to care due to their geographic location. It will also improve continuity and coordination of care while reducing unnecessary hospitalizations and emergency room visits.

I fully support the purpose of this bill, which would require private insurers and Medicaid to provide coverage for services delivered via telehealth, as long as such services and providers of the services are otherwise covered under the patient's contract or policy. However, the insurance coverage provisions of the bill, as passed, arguably require providers to cover services delivered via telehealth even if those services are not covered under the patient's existing contract or policy. The bill's January 1, 2015 effect date is also not feasible, as it would prevent health insurers from restructuring coverage options and building them into their calendar year 2015 premiums, which have already been approved and are in place.

The Legislature has agreed to a chapter amendment to address these concerns. On that basis, I am signing this bill.

This bill is approved.

(signed) ANDREW M. CUOMO