



New York State  
Psychiatric Association

# THE E-BULLETIN

NEW YORK STATE PSYCHIATRIC ASSOCIATION

Bringing New York State Psychiatrists Together



JULY 9, 2021

## TELEMEDICINE UPDATE

On June 24, 2021, Governor Cuomo declared an end to the New York State COVID-19 disaster emergency. The following is a summary of current New York laws and regulations that impact the delivery of telemedicine.

### Commercial Insurance Carriers

The NYS Department of Financial Services has issued emergency regulations mandating coverage for telehealth services, **including audio-only services**, through October 1, 2021.

Please note that a 2016 New York law already prohibits insurers from excluding services solely because they are delivered via telehealth, **however, the existing statutory language does not mandate coverage of audio-only services by commercial health plans.**

Further, at this time, there is no specific mandate for payment parity between in-person services and telehealth services. Ensuring reimbursement parity for telemedicine is a top advocacy priority for NYSPA and we are pursuing legislation to address these potential inequities.

The previous Executive Order waiving co-pays, co-insurance amounts and deductibles for services provided via telehealth expired on June 5, 2021.

### Medicaid

The NYS Department of Health issued emergency regulations, effective June 25, 2021, confirming that all Medicaid providers authorized to provide in-person services are also authorized to provide such services via telehealth. Reimbursement is mandated for use of telephone and other audio-only technologies.

These emergency regulations appear to duplicate state legislation enacted during 2020 that mandates coverage for both audio-only and video-only telehealth for services covered by the Medicaid program. DOH has indicated that the emergency regulations are intended to be made permanent and were issued at

this time to ensure ongoing and continuous access to telehealth services for Medicaid beneficiaries who are not able to easily access in-person services.

### **OMH Licensed Facilities**

On June 25, 2021, the NYS Office of Mental Health issued a Regulatory Waiver extending certain COVID-related restrictions for a period of 60 days. This waiver confirms continued coverage for audio-only telehealth services provided by entities licensed or regulated by Article 31 of the Mental Hygiene Law. Further, the Article 31 requirements for originating site and distant site will continue to be waived for a 60-day period (i.e., patients may continue to be seen via telehealth in their own home)

### **Federal Public Health Emergency**

Please keep in mind that the federal public health emergency (PHE) declaration is still in effect and any federal COVID-related waivers are still in place at this time, including waivers of certain Medicare requirements and DEA requirements for the prescribing of controlled substances via telehealth. The U.S. Department of Health and Human Services has indicated that it intends to keep the federal PHE in place for the duration of 2021 and will provide at least 60 days' notice of any change.



#### **New York State Psychiatric Association Veterans Mental Health - Primary Care Training Initiative**

The New York State Psychiatric Association is proud to offer this important training opportunity to ensure that returning veterans receive necessary care & treatment in their community to lessen or heal the invisible wounds of war & to further reduce the stigma which often impedes the decision to seek mental health & substance use disorder care and treatment, particularly among members of the military.

To learn more about this important program, please [click here](#).

### **Contribute to NYSP-PAC!**

The New York State Psychiatric PAC needs your continued support so we are prepared to confront both the expected and unexpected. We sincerely hope you will join us today by making a contribution using the blue button above or by [clicking here!](#)

### **CLASSIFIEDS**

Click the blue-button above to view the current opportunities listed for our members in New York State. These include Job Postings, Moonlighting positions, and available office space.

Interested in advertising with us? Please contact [centraloffice@nyspsych.org](mailto:centraloffice@nyspsych.org) for more information.



**UPCOMING**

# EVENTS



**September 7, 2021**

VMH-PCTI: Recognition, Management and Prevention of Veteran Suicide - To register, please [click here](#)

**November 16, 2021**

VMH-PCTI: The Clinical Importance of Understanding Military Culture - To register, please [click here](#)

**December 7, 2021**

VMH-PCTI: Tackling Modern Day Women Veteran Issues - To register, please [click here](#)

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