



New York State
Psychiatric Association

THE E-BULLETIN

NEW YORK STATE PSYCHIATRIC ASSOCIATION

Bringing New York State Psychiatrists Together



September 15, 2021

Update on NYS HERO Act Requirements for Employers

Last week, Governor Hochul announced that the Commissioner of Health has designated COVID-19 as a highly contagious communicable disease that presents a serious risk of harm to public health. Under the New York State HERO Act, employers are now required both to adopt and implement a workplace safety plan for protection from airborne infectious diseases. To assist employers, the state has developed a model Airborne Infectious Disease Exposure Prevention Plan that can be adopted and put into place by employers. The HERO Act requirements will apply to any psychiatric practice that pays an individual who performs duties and services for the practice on a regular basis, regardless of whether the individual receives a W-2 or 1099 from the practice. A copy of the practice's Prevention Plan must be distributed to all employees.

One exception to the mandatory requirements of the HERO Act is if an employer is already subject to Emergency Temporary Standards issued by the federal Occupational Safety and Health Administration (OSHA) in response to the COVID-19 pandemic. The OSHA standards generally apply to workplaces in the healthcare setting, **however** exemptions apply for (i) non-hospital ambulatory care settings (e.g., office or other outpatient settings) where all non-employees are screened prior to entry and people with suspected or confirmed COVID-19 are not permitted to enter and (ii) telehealth services are performed in a

setting where no direct patient care occurs.

In this case, if a healthcare provider is exempt from the OSHA standards, it must comply with the requirements of the NYS HERO Act. In light of the OSHA exemptions listed above, it appears that many NYSPA members (if they are also employers) may be exempt from the OSHA standards and should take steps to comply with the HERO Act as soon as possible. Members may wish to consult with their legal counsel to confirm which standard may apply to their practice.

A copy of the model Plan, HERO Act FAQs and additional resources are available on the NYS Department of Labor website at <https://dol.ny.gov/ny-hero-act>.

For additional information and specific instructions for completing and adopting a Prevention Plan in your practice, [please click](#) here to see our previous E-Bulletin.



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 for more information.



UPCOMING

EVENTS



October 23, 2021

Fall 2021 Area II Council meeting via ZOOM

November 16, 2021

VMH-PCTI: Recognition, Management and Prevention of Veteran Suicide

To register, please [click here](#)

December 7, 2021

VMH-PCTI: Tackling Modern Day Women Veteran Issues

To register, please [click here](#)

Did you know that the New York State Psychiatric Association is now on Twitter? Click the logo above and make sure to give us a follow!

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