

2024 Governor Hochul State of the State Overview

This afternoon, Governor Hochul delivered her State of the State message to the Senate and Assembly, accompanied by a 180-page book [2024-SOTS-Book-Online.pdf \(ny.gov\)](#) summarizing proposals she will advance this year, many through the Executive Budget to be released next week.

There is once again a significant focus on expanding access to mental healthcare and primary care services. Some proposals at first glance appear to be positive, while others we will likely oppose (including scope expansion measure previously advanced).

Proposals of interest to the physician community include:

Health Insurance Coverage Enforcement/Expansion Proposals

- Stronger enforcement by DFS on insurers violating mental health parity laws, including doubling the fines for parity violations.
- Imposing more aggressive network adequacy requirements for mental health coverage and substance abuse services, including shorter appointment wait times, and out of network coverage when there is not sufficient in-network availability.
- Creating a DOH-DFS workgroup to establish stronger network adequacy requirements for all health care services.
- Issue Guidance for Mental Healthcare screenings that will be covered by health insurers with zero cost-sharing.
- Increased commercial insurer payment for mental health coverage.
- Eliminate cost-sharing in both the Essential Plan and Exchange plans for office visits, lab work and testing, pharmaceuticals, and other supplies and services to promote better management of chronic conditions such as Type 2 Diabetes.
- Prohibit co-pays for insulin (currently capped at \$100/month)
- Provide continuous Medicaid and Children's Health Insurance Program coverage for any eligible child up to 6 years old.

Physician Incentive Payment Programs

- Establish a new loan repayment program for psychiatrists, primary care physicians, and other care providers who make a 4-year commitment to serve the Medicaid population in New York.
- Increased Medicaid payments for physicians participating in the Patient-Centered Medical Home program, including for pediatric populations.

Health Workforce/Scope Proposals

- Permitting New York to join the Physician Licensure Compact (similar to previous years).
- Permitting PAs to practice without physician supervision in primary care and when employed by a hospital (similar to previous years).
- Permit pharmacists to administer vaccines, screen, and to dispense medication for MPOX and PrEP.
- Expand the role of registered nurses to facilitate Hepatitis B testing.
- Permit emergency medical services providers to provide care in the community during nonemergent situations (similar to previous years).
- Create a Paramedic Telemedicine Urgent Care program, which will use paramedics in rural areas and a healthcare provider via telemedicine to deliver low-acuity emergency services in a fixed location.

Public Health

- Update the State's controlled substances schedule to include new fentanyl analogs, xylazine, and prescription medications regularly subject to illegal distribution.
- Permit health care providers in ERs to dispense up to a 3-day supply of buprenorphine.
- Reestablish a pain management working group that will inform best practices, guideline changes, and suggest non-pharmacological ways for patients to cope with pain management.
- Require that healthcare providers obtain consent from individuals who are pregnant or recently gave birth prior to drug testing, as recommended by ACOG.

- DOH to increase oversight of physicians who have higher C-section rate than indicated clinical best practices.
- Require labs to report all negative HIV, Syphilis, Hepatitis B, and Hepatitis C test results to improve targeted interventions and address gaps in testing. The Governor will also propose legislation to make HIV testing a routine part of an annual visit.
- Department of Veterans' Services to develop a "pocket card" containing information that medical professionals should know when working with a veteran patient.
- NYS to develop Training and Awareness program for law that allows healthcare providers to file an Extreme Risk Protection Order petition to prevent individuals who show signs of being a threat to themselves or others from accessing any kind of firearm.

Your DGA Team (Moe, Pat, Zina and Nick)