2024 NYS Legislative Session Wrap-Up

New York’s 2024 Legislative Session concluded on Saturday, June 8th. Here’s a short year-end wrap-up:

Update on Elected Officials

There will be a shakeup in Albany next year regardless of the results in the November elections. We are expecting a significant number of Assembly and Senate representatives exiting the Albany scene. Latoya Joyner, suddenly resigned her seat as the elected official to New York’s 77th Assembly District and Chair of the Assembly Labor Committee very early in the 2024 legislative session [January 8th]. Assemblymember Landon Dais succeeded her in a special election on February 13th, and Assemblymember Harry Bronson assumed the role of Labor Committee Chair.

Senate Democrats officially lost their supermajority when Tim Kennedy won a special election on April 30th to join NY’s 26th Congressional District in the U.S. House of Representatives. Senator John Mannion (SD-50) is also interested in a DC position (22nd House District). Senator Neil Breslin (SD-46) will be leaving Albany after 28 years, and this action prompted Assemblymember Patricia Fahy (AD-109) to declare herself a candidate to fill Senator Breslin’s spot. In addition, Assemblymember Taylor Darling (AD-18) plans to run for a Senator Kevin Thomas’ (SD-6) seat. Others who will be ending their career in the NY Legislature are: Helene Weinstein (AD-41), Andrew Goodell (AD-150), Jeffrion Aubry (AD-35), Kenneth Zebrowski (AD-96), Aileen Gunther (AD-100, Fred Thiele (AD-1), Marjorie Byrnes (AD-133), Joseph Giglio (AD-148), Danny O’Donnell (AD-69), Inez Dickens (AD-70), and Kimberly Jean-Pierre (AD-11). There are quite a few familiar names on the retirement list with vacancies in key leadership positions.

Update on Legislation

Unfortunately, the WRONGFUL DEATH/GRIEVING FAMILIES bill (A.9232/S.8485), passed the Assembly and Senate again toward the end of the legislative session. This means NY physicians must once again apply pressure and convince the Governor to veto this legislation for a third time. The estimated cost impact of the Grieving Families Act is entirely driven by the “grief or anguish” damages and those damages are contained in identical form in both last year’s bill and this year’s bill.

There were only a few differences:

- Last year’s bill listed those family members eligible to sue for a wrongful death and recover damages, while this year’s bill primarily uses the current law list of eligible family members and adds a person acting in loco parentis to a minor.
- Last year’s bill had a retroactive date of July 1, 2018, and this year’s bill has a retro date of January 1, 2021.

Despite activity around the MEDICAL AID IN DYING (MAiD) ACT (A.995/S.2445), the bill failed to move out of the Assembly and Senate Health Committees, although the bill made it to “Version C”.

The PRIMARY CARE INVESTMENT ACT (S.1197/A.8592), a topic priority for the Chapter’s May 9th Advocacy Day, proposes to (1) measure how much money is spent on primary care by public and private insurers in NYS, (2) make that information publicly available every year, and (3) mandate that at least 12.5% of insurers’ health care spending is on primary care. Unfortunately, this bill did not pass the Assembly or Senate this year, despite Chapter and collaboration efforts.
NYACP’s new Climate Change Task Force was delighted to hear about Assembly and Senate passage of the **CLIMATE CHANGE SUPERFUND ACT** (A3351/S2129), which requires oil and gas companies to pay into a fund that will be used to pay the costs of offsetting the impacts of climate change.

The **HEALTH CARE PROFESSIONAL TRANSPARENCY ACT** (S.9214/A.10009), a Chapter priority and important piece of legislation, failed to generate the activity it needed to make a difference this year. This bill aims to ensure appropriate identification of healthcare professionals to reduce confusion during patient interactions in addition to the establishment of a public awareness campaign.

The **PHYSICIAN ASSISTANTS AS PRACTITIONERS** bill (S.2124/A.7725) will allow physician assistants to serve as primary care practitioners for the purposes of Medicaid managed care plans. This bill passed both the Senate and Assembly and is pending action by the Governor.

**TELEHEALTH** remains a Chapter priority. However, (S.6733/A.7316), a bill that aims to correct the methodology by which Medicaid reimburses community health centers for telehealth services, to be aligned with other providers that are paid through a bundled payment, passed the Assembly but not the Senate.

**STEP THERAPY** (A.901/S.1267), one of three step therapy bills selected as a priority topic for NYACP’s May 9th Advocacy Day, passed the Assembly and Senate and now awaits action by the Governor. This bill requires certain patient protections for health plans and utilization review agents to follow when establishing a step therapy protocol.

(A.8378/S.9038) is a bill to modernize **PHYSICIAN ASSISTANT PRACTICE STANDARDS** so that physicians can supervise no more than six PAs within a private practice at one time and no more than eight PAs with a practice for the Department of Corrections and Community Service.

The **ADULT VACCINATION REPORTING REQUIRMENTS** (A.7154/S.5131), the NYSIIS Registry, supported by NYACP and lobbied for during the Chapter’s May 9th Advocacy Day, passed the Assembly but not the Senate.

The **COMMUNITY HEALTHCARE ACT** (S.8843/A.1633) passed both the Assembly and the Senate. The bill requires public notice and public engagement to take place when a general hospital seeks to close entirely or close a unit that provides maternity, mental health, or substance use care.

**PHYSICIAN BOARD CERTIFICATION STAFF PRACTICE** (S.1727) relates to addressing the increasing burdens associated with maintaining board certification for licensed healthcare professionals and ensuring fair access to healthcare facilities and networks irrespective of certification status. In May, there was some activity within the Senate Health and Senate Rules Committees. Unfortunately, there was no Assembly companion bill.

Because the final NYS Budget was approved and signed into law late this year, time devoted to the typical legislative business was shortened. There were 14,916 bills introduced over the first six months of the year with almost three hundred of those bills monitored by NYACP. Although session has ended, advocacy efforts to defeat the **Wrongful Death/Grieving Families** bill MUST continue!