

**MEDICAL SOCIETY**  
of the  
**STATE OF NEW YORK**

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*Division of Governmental Affairs*  
**MEMORANDUM IN SUPPORT**

**PASSED SENATE**

**S. 1066B (MAYER)**

**ON THIRD READING  
RULES CAL. 571**

**A. 1709B (REYES)**

**AN ACT to amend the criminal procedure law, the executive law, the civil practice law and rules, the insurance law and the education law, in relation to legally protected health activity providers**

This measure would amend the criminal procedure law, the executive law, the civil practice law and rules, the insurance law, and the education law, in relation to legally protected health activity providers and would ensure that telehealth services are explicitly included in existing safe-guards and protections for reproductive health care services. **The Medical Society of the State of New York supports this measure.**

In April, the Medical Society of the State of New York passed the following policy regarding reproductive health services:

“That MSSNY will support measures to protect practitioners licensed and residing in New York from legal or personal liability when delivering healthcare services to residents of New York State or any other state, whether in person or via telemedicine, when the services provided comply with New York State laws and regulations. MSSNY will support legislation to provide protections, including against extradition to any other state, for providers who perform comprehensive women's health services that are legal in New York State. And that MSSNY will seek legislation or regulation that allows anyone sued in another state for providing or helping someone access reproductive health services in New York to file their own legal action for unlawful interference with a protected right, and to recover damages from the out of state litigant.”

The Medical Society of the State of New York took the above action after Roe v. Wade was overturned in June 2022 and due to the loss of access to reproductive health care as 12 states have completed banned abortions and 14 have restricted abortion access. Additionally, 29 states now require physicians to administer medication abortions and 18 states have now banned abortion medications use during a telemedicine visit by requiring a physician or other health care providers to be in the room when a patient takes the medication.

Telehealth is a commonly used tool in the daily work of health care practitioners, providing patients with access to health care professionals in a private setting without the burdens of travel. This legislation builds upon the abortion and reproductive health services laws that were passed by the New York State Legislature and signed into law by Governor Kathy Hochul in June 2022 by explicitly adding protections for telehealth and telehealth services.

For all the reasons stated above, the Medical Society of the State of New York supports this legislation and urges its enactment.

Respectfully submitted,

**MSSNY DIVISION OF GOVERNMENTAL AFFAIRS**

6/20/23-pfc  
Support