



CAPITAL UPDATE

News of legislative, regulatory, and other matters of interest to New York's physicians

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Governor Advances Executive Budget: MSSNY Urges that State Budget Not Be Balanced on the Backs of New York's Dedicated Physicians

The Governor released her proposed \$260 Billion Executive Budget for the 2026-27 fiscal year this week. Many of the proposals advanced are similar to past years, but in some cases, there are additional nuances that make them even more problematic. While there are some positive initiatives such as prior authorization reform and telehealth payment parity, the combined weight of adverse proposals noted below will – if enacted – make it close to impossible for New York's relatively few remaining community-based medical practices to remain afloat, exacerbating patient access to care challenges.

The significant number of adverse Budget proposals is a critical reason for physicians to PLAN TO BE IN ALBANY ON MARCH 10 to ask for fairness at MSSNY's Annual [Physician Advocacy Day](#).

Adverse Proposals

- Require the 16,000 physicians Excess Medical Malpractice Insurance coverage to pay 50% costs, a cumulative \$40 million hit on New York's physician community. Send a letter in opposition here: [Urge Legislature to Reject Physician Cost-Share for Excess Program](#).
- Upend New York's innovative IDR payment resolution process for non-participating provider claims by altering the criteria to make it one-sided towards health insurer interests and eliminate ability to appeal out of network Medicaid Managed Care disputes to IDR. Send a letter in opposition here: [Protect Physicians' Right to Access a Fair IDR Process](#).
- Permit many PAs to practice without any defined physician supervision after 8,000 hours practice, despite a law enacted last year giving PAs significantly more care responsibilities. Send a letter in opposition here: [Preserve Physician-led, Team-based Healthcare](#)
- Eliminate the role of the county medical society in approving physicians to participate in the Workers' Compensation program. Send a letter in opposition here: [Workers Compensation](#)
- Expand the reporting requirements for completed material healthcare acquisitions, including those completed dating back to 2023.
- Passing from SED to DOH oversight of physician private practice incorporation.

- Giving auto insurers a much longer timeframe to challenge No-Fault medical claims.

Positive Provisions

- Proposing a series of prior authorization reforms, including prohibiting health plans from requiring Prior Authorization for the treatment of chronic conditions more than once per year, and requiring greater transparency of Prior Auth denials.
- Permitting Medical Assistants to administer immunizations.
- Extending telehealth health insurance payment parity for 2 more years.
- Linking immunization coverage standards to those recommended by AAP, AAFP, ACP or ACOG.
- Expanding and clarifying coverage for Biomarker testing.
- Additional funding for the Medical Indemnity Fund.
- Reducing Interest rates on court judgments from 9% to a market rate.
- Increased investment in the Early Intervention program.
- CPH funded at historical level of \$990,000.
- Doctors Across New York medical student loan relief program funded at historical level of \$15.86M.

MSSNY's Governmental Affairs staff is continuing to pore through the thousands of pages of Budget bills for additional items of interest and/or additional nuances to these proposals.

(DIVISION OF GOVERNMENTAL AFFAIRS)

Legislature Passes Chapter Amendment to New Law Requiring Greater Transparency and Consent for Use of Virtual Credit Cards (VCCs)

In response to complaints of health plans unilaterally attempting to make payment for patient care services using VCCs that impose steep fees on physicians for their use, in December Governor Hochul signed into law legislation ([A3986-A/S2105-A](#)) to facilitate greater transparency and require express consent to permit a health plan or insurer to make payment through use of a VCC.

The new law requires that a health plan seeking to pay a physician or other health care provider using a VCC or other form of electronic funds transfer that imposes a fee or similar charge to process the payment must first (1) notify the physician or provider of the potential fees or charge, (2) offer the physician or provider an alternative payment method that does not impose such fees or charge, and (3) permit the physician or provider to elect to accept such payment types. Moreover, it enables the physician or other provider to change the designated payment type by notifying the health plan or insurer in writing.

The legislation was signed by the Governor with the understanding the State Legislature would enact a chapter amendment in early 2026. The agreed-upon chapter amendments set forth that the payment method election must be acted on by the physician or other care provider within 30 days of receipt of notice from the insurer. If the physician or provider does not respond within 30 days, the insurer must pay the physician or other provider using a fee-free method of payment. That legislation [A9510](#) passed the Assembly this week, and will likely pass the Senate next week. It applies to contracts entered, altered, or modified on or after June 17, 2026.

(AUSTER)

US House of Representatives Holds Hearing on Abusive Practices by Health Insurers

The US House Energy & Commerce Health Subcommittee and Ways & Means Committee held hearings on Capitol Hill on Thursday, January 22nd, with explosive examples given of heartbreaking coverage denials, surprising executive compensation and vaccine coverage, among other insurer practices harming patients by major health insurers including UnitedHealth, Cigna, Elevance Health, and others.

One member of the committee dubbed UnitedHealth Group the "poster child for Medicare Advantage abuse" and said the plan's practice of delaying or denying claims "looks like a business model" to increase profits. Another member told the story of a constituent who had a UnitedHealth Medicare Advantage Plan and was hospitalized after suffering a stroke. UnitedHealth refused to pay for their hospitalization saying that it was "medically unnecessary," overriding their physician's medical decision and leaving the patient stuck with a huge bill. The story of a California family who had to declare bankruptcy after UnitedHealth refused to pay for treatment for their daughter's bladder tumor.

While no policy changes were offered, the Affordable Care Act (ACA) was mentioned at several points with Republicans arguing it had increased healthcare costs, while Democrats praised it for reducing the number of uninsured patients and urged the Senate to extend the ACA's expanded premium tax credits, a measure that recently passed the House of Representatives.

To read more details from the hearing: [Medpage Today](#)

(CARY)

Join Us for the MSSNY's Physician Advocacy Day on March 10, 2026

With the release of the Executive Budget, and the myriad of concerning proposals that will make it harder for physicians to be available to deliver care to their patients, your presence is needed in Albany on **Tuesday, March 10, 2026**, for MSSNY's annual Physician Advocacy Day.

Please Register today! [Physician Advocacy Registration](#)

The timing for this event is critical because it is around the same time that both the Assembly and Senate are finalizing their respective one-House Budgets setting the stage for negotiations with the Governor.

This year's event will take place in person in Meeting Room 6 in the Empire State Plaza, Albany, from 7:45 a.m. to 11:00 a.m. During the morning session, physicians, residents, and medical students will hear from legislative leaders as well as the Commissioner of Health in which they will have the opportunity to ask them critical questions about their policy priorities. In the afternoon, participants will meet with their legislators in meetings organized by their local county medical societies.

This year, we will be actively advocating on a range of critical issues that directly impact patient care and the practice of medicine. Key priorities include advancing Prior Authorization Reform to reduce administrative delays and ensure timely access to care, protecting physicians' right to a fair and independent dispute resolution (IDR) process, defeating proposals that would shift excess medical malpractice insurance costs onto physicians, preserving physician-led, team-based healthcare, and preserving the role of county medical societies in the Workers' Compensation application process.

Please join us in Albany so we can improve the future of healthcare! [Physician Advocacy Registration](#)

(HOSPODAR)

MSSNY Celebrates Healthcare Continuing Education Professionals Day

On January 23, 2026, MSSNY proudly observes Healthcare Continuing Education Professionals Day™, a meaningful day dedicated to honoring the exceptional individuals who ensure healthcare providers remain informed, skilled, and prepared to deliver outstanding patient care.

Continuing education professionals play a vital role in shaping the future of healthcare. Through the development and delivery of high-quality educational programs, they promote lifelong learning, support professional growth, and contribute directly to improved health outcomes.

In its role as an intrastate CME accreditor, recognized by the Accreditation Council for Continuing Medical Education (ACCME), MSSNY is incredibly proud to accredit 30+ CME Providers in NYS (and one in Connecticut). On this special day, MSSNY wishes a Happy Healthcare Continuing Education Professionals Day™ to the hardworking staff at these provider organizations. As ACCME President and CEO has written in his [message](#) on this occasion, "Your work demonstrates how learning—when structured, intentional, and protected by accreditation—delivers measurable value, trust, and impact across the healthcare system."

(HARDIN)

Registration Now Open for CME Series on Pain Management, Palliative Care & Addiction as Required by New York State Statute

February 11th & 25th and, March 11th

*These webinars are being offered **FREE OF CHARGE ONLY** to MSSNY members.*

The Medical Society of the State of New York announces an updated series of three one-hour CME webinars on Pain Management, Palliative Care, & Addiction. Since 2017, New York State statute requires all prescribers holding a DEA license to complete **THREE** hours of coursework every three years.

The Medical Society of the State of New York has worked with the New York State Office of Addictions Services and Supports (OASAS) in the development of this program series, ensuring that it covers all eight of the required topics.

Following the webinars, the courses will be offered on-line at the MSSNY CME website, <https://cme.mssny.org>, remaining free to MSSNY members. For all non-MSSNY members, there will be a \$50.00 charge per course:

Please click on titles to enroll in each webinar:

Wednesday February 11, 2026 @ 7:30-8:30a.m. - Understanding the Current Legal Landscape in New York State for Prescribing Controlled Substances

Faculty: Greg Meyer, Esq., Deputy Counsel for NYS Office of Addiction Services and Supports (OASAS), and Pamela Mund, MD, Chief of Addiction Medicine, State Opioid Treatment Authority (OASAS)

Educational Objectives:

- Discuss pain management guidelines.
- Summarize New York State and federal requirements for prescribing controlled substances.
- Explore use of non-pharmacological pain management options.

Wednesday February 25, 2026 @ 7:30-8:30a.m. - When to Consider Opioid Therapy for Chronic Non-Cancer & Palliative Care

Faculty: Charles Argoff, MD

Educational Objectives:

- Discuss evidence based best practice recommendations for opioid therapy for chronic pain, patient risk assessments, and documentation.
- Describe palliative medical care and end-of-life care.

Wednesday March 11 @ 7:30-8:30a.m. Patients with Opioid Use Disorders: Identification, Treatment, and Management of Co-occurring Pain

Faculty: Pamela Mund, MD, Chief of Addiction Medicine, State Opioid Treatment Authority (OASAS) & Jeffrey Selzer, MD

Educational Objectives:

- Describe the Potential for Addiction, Patient Screening, Diagnosis and Subsequent Treatment or Referral
- Recommend Tools to Assist in the Identification of High-Risk Patients for Whom Opioids are Indicated and Prescribed
- Describe Strategies for Treating Pain in Patients with Substance Use Disorders

These three webinars include the state required elements: New York State and federal requirements for prescribing controlled substances; Pain management; Appropriate prescribing; Managing acute pain; Palliative medicine; Prevention, screening, and signs of addiction; Responses to abuse and addiction; and End of life care.

Following successful completion of the three hour of coursework, prescribers must attest to the NYS Department of Health that they have taken the course:

https://www.health.ny.gov/professionals/narcotic/mandatory_prescriber_education/docs/neat_instructions_prescriber.pdf

Additional information or assistance with registration may be obtained by contacting Melissa Hoffman at mhoffman@mssny.org or 518-465-8085.

(HOFFMAN)

Registration Now Open Winter 2026 Women Physicians Leadership Academy

Registration is now open for the Winter 2026 Women Physicians Leadership Academy. Sign up now for the next three sessions in this engaging, illuminating, and empowering series. Upcoming sessions will take a comprehensive look into *Designing Your Medical Career*, *Enhancing Physician Wellness & Wellbeing* and *The Importance of Networking*. Register now to gain invaluable insight from top professionals in each of these fields. Elisa Choi, MD, MACP, FIDSA, FAMWA a dual Board-Certified Internal Medicine and Infectious Diseases physician in full-time clinical practice in primary care, HIV medicine, and ID consultation and a Harvard Medical School faculty member is our facilitator for each of these sessions.

The Winter 2026 WPLA schedule is below with registration links:

- [**February 7th 9:45AM-1:15PM – Designing Your Medical Career**](#)
- [**March 1st 9:45AM-1:15PM – Enhancing Physician Wellness & Wellbeing**](#)
- [**March 7th 9:45AM-1:15PM – The Importance of Networking**](#)

The Medical Society of the State of New York is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to provide continuing medical education for physicians. The Medical Society of the State of New York designates each live activity for a maximum of 3.0 AMA PRA Category 1 Credits™. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

(HOFFMAN)