



**Testimony Submitted by Barbara Kapetanakes, PsyD**

**President, New York State Psychological Association**

**Joint Legislative Budget Hearings: Higher Education and Health and Mental Hygiene**

**February 7 & 8, 2022**

My name is Dr. Barbara Kapetanakes, President of the New York State Psychological Association (NYSPA). I would like to thank the Chairs Weinstein and Krueger and all the members of the Legislature here for allowing me to submit testimony for this hearing, specifically as it relates to the expansion of telehealth, scope of practice proposals, funding for the Office of Professions, and the Medicaid increase and restoration included in the FY 2023 Executive Budget Proposal.

NYSPA represents approximately 2,000 licensed psychologists in New York State. The mission of the Association is to advance the science and practice of psychology as a means of promoting human welfare. Affiliated with the American Psychological Association (APA), NYSPA is composed of 16 divisions and 12 regional affiliates, along with representatives from various practice areas such as addiction, clinical psychology, adult development and aging, and school psychology.

***Telehealth Reimbursement Parity:***

Part V (S.8007/A.9007) would enhance and solidify the ability of psychologists to provide comprehensive access to mental health care through telehealth – encouraging more providers to offer telehealth services to vulnerable populations that may have difficulty in accessing services in-person by reimbursing telehealth services at the same level of traditional in-person services. NYSPA is appreciative of Governor Hochul’s proposal and urges the legislature’s support of telehealth parity – particularly as it relates to mental health services. NYSPA has been advocating to implement a more robust cadre of telehealth services over the past several years, and we believe now is the appropriate time to enact this critical policy.

The COVID-19 pandemic and subsequent public health emergency has dramatically changed how health care services are delivered, including mental health services, shifting from a heavy reliance on in-person, in-office visits to virtual visits. In fact, prior to the pandemic, the New York Public health law, insurance law, and federal rules had required each telehealth encounter to be both audio and video. Relatively early in the pandemic, recognizing the challenges in accessing care that vulnerable individuals and health care providers were facing, regulations were loosened at the national and state level to allow telephone-only encounters for the duration of the public health emergency. Ultimately in New York a new law was signed to permanently allow reimbursement for telephone-only telehealth services for public health programs, and regulatory changes were made to authorize commercial insurer



reimbursement for telephone-only services. These changes allow psychologists and other health care providers to reach and provide services to vulnerable populations who have limited or no access to broadband.

The statutory changes outlined in Part V are a critical next step to preserving continued access to these pandemic tested telehealth services. Implementation will assure providers they will be properly reimbursed for services, have the resources to build or maintain infrastructure necessary to provide telehealth services, provide system stability, and is an important step in ensuring access to care for vulnerable populations throughout the state when and where it is most appropriate and convenient.

***Scope of Practice: Prescriptive Authority for Qualified Psychologists***

Part C (S.8007/A.9007) proposes several scope of practice expansions for professions including pharmacists, nurse practitioners, registered nurses, and physicians, all of which aim to achieve one overarching critical theme amplified tenfold by the pandemic – New York needs to improve access to healthcare services.

In consideration of addressing that need, NYSPA urges the legislature to include legislation supported by NYSPA in the FY 2023 Budget. The legislation, A.3205 (McDonald)/ S.560 (Harckham), would allow psychologists who complete appropriate and rigorous education and didactic training to prescribe psychotropic medications appropriate to their work. The pandemic has left New Yorkers feeling stressed and anxious and has led to increased substance abuse. Coupled with a labor shortage that has reached a crisis state, it has become clear that the legislature needs to consider new ways to deliver the highest quality health care services in the state.

This legislation is not a novel concept, as psychologists in seven states and in the United States military have prescribing privileges, a policy that has been proven to increase access to needed services in virtually every setting that it has been implemented. We believe it is time to add New York to the list of jurisdictions that allow appropriately trained psychologists to prescribe psychotropic medications and add another instrument to New York's tool chest to improve access to critical mental health services.

**Office of Professions Funding:**

As it has for the past several years, the Executive Budget Proposal contains proposed capital funding (\$7.79 million) for the development of an electronic licensing system for the Office of the Professions. NYSPA has historically supported this funding, as current funding and staffing constraints at the Department have led to delayed responses in licensure applications for psychologists.

**Medicaid Trend Increase and FY 2021 Rate Cut Restoration:**

Part I (S.8007/A.9007) of the Health and Mental Hygiene budget includes an across-the-board (ATB) increase in the Medicaid reimbursement rate of 1 percent. The financial plan also includes a restoration of the 1.5 percent ATB reduction that was implemented in FY 2021. It has been more than a decade



since the last trend factor was added to the rates. With inflationary trends consistently increasing year to year, maintaining a statewide health care infrastructure with no increase in reimbursement is truly unsustainable. NYSPA fully supports the trend increase and restoration and urges the legislature to also support the adjustment and seek additional ways funding may be leveraged to ensure sustainability of health and mental health services and support.

We appreciate the opportunity to provide testimony on the Executive Budget proposal and offer the experience of our membership as at resource as you consider priorities for the upcoming negotiations.

Thank you.

Signed,

A handwritten signature in black ink, which appears to read "Barbara Kapetanakes", is positioned below the "Signed," text. The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Barbara Kapetanakes  
NYSPA 2022 President