

The Legislator Scorecard is a summary of the voting and co-sponsorship records of each state legislator on some of the issues important to New York physicians during the 2022 legislative session.

Physicians should be aware that there are a variety of factors related to how a legislator may vote on a particular issue, some of which are not reflected in a scorecard. These include whether the legislator is a member of the majority or minority party in the Senate or Assembly. Furthermore, in New York State, many political decisions take place behind the scenes. There are instances in which a legislator may help MSSNY by making sure a bad bill never reaches a floor vote, or amends a bill to address the concerns of physicians. Scorecards do not reflect that "value" element.

Both membership in MSSNY and monetary contributions to MSSNYPAC are what makes this work possible and what keeps us working on behalf of New York physicians and their patients. Not only do we work proactively to help pass legislation to address impediments physicians face in delivering care, but we also help defeat regressive and inappropriate scope of practice expansions put forward by other interest groups. The collective voice of physicians represented by MSSNY is vitally important and your support is crucial. Thank you.

#### **The seven bills supported by MSSNY on the scorecard include:**

- **A879/S8113 – Same Specialty Review By Health Plan**
  - Requires health insurers to use physicians in the same specialty when conducting reviewing claims or prior authorization requests.
- **A1741/S5299 – Limits Copay Accumulators**
  - Prohibits health insurers from preventing patients from using prescription discount cards/coupons to meet their deductibles.
- **A3276/S5909 – Limits Mental Health Step Therapy**
  - Prohibits health insurers from imposing step therapy requirements for mental health medications.
- **A9687/S9079 - Protects Physicians Who Provide Reproductive Care**
  - Protects physicians from sanction in New York State for providing health care services prohibited in other states that are legal in New York (consistent with MSSNY Policy 5.997).
- **A10502/S9113 - Expands Red Flags & Background Checks**
  - Expands background checks for the purchase of firearms.
  - Expands the application of “red flag” laws, which require the removal of weapons from NY residents at high risk of causing harm to themselves or others (consistent with MSSNY Policies 260.895 and 260.898).

- **A6256/S5055 – Telehealth Payment Parity**
  - Requires health insurers to pay for services delivered via telehealth at amounts equal to comparable services delivered in-person.
- **A9908/S8299 – Gold Card Bill**
  - Establishes a “gold card” process for physicians, exempting them from prior authorization requirements if they are approved at least 90% of the time for that procedure.

**The four bills opposed by MSSNY on the scorecard include:**

- **A6770/S74 – Wrongful Death Expansion**
  - Significantly expands the damages awardable in a wrongful death lawsuit.
- **A3470C/S2521C – Facility Fee Disclosure**
  - Requires the disclosure of facility fees not covered by insurance, including by employee physicians of facility fees charged by their employer.
- **A273/S4640 – Opioid Prescribing Alternatives**
  - Requires discussion of alternatives to opioids prior to issuance of first opioid prescription for musculoskeletal pain (except for post-surgery, cancer, or hospice).
- **A6008-E/S9449 – Mental Health Counselors Diagnosis**
  - Expands list of mental health care providers can diagnose.

To view details pertaining to the substance of the bills listed and MSSNY's position, view the [Bill Memorandums](#).

If you need to look up your legislative district or identify your legislators, please [click here for Assembly](#) and [click here for Senate](#).

ORANGE COUNTY					2022 BILLS MSSNY SUPPORTS							2022 BILLS MSSNY OPPOSES							
First Name	Last Name	Party	Current Legislative District	Notes	A879/S8113 – Same Specialty Review By Health Plan	A1741/S2299 – Limits Copay Accumulators	A3276/S5909 – Limits Mental Health Step Therapy	A9687/S9079 - Protects Physicians Who Provide Reproductive Care	A10502/S9113 - Expands Red Flags & Background Checks	A6256/S5055 – Telehealth Payment Parity	A9908/S8299 – Gold Card Bill	A6770/S74 – Wrongful Death Expansion	A3470C/S2521C – Facility Fee Disclosure	A273/S4640 – Opioid Prescribing Alternatives	A6008-E/S9449 – Mental Health Counselors Diagnosis	Total in Favor	Total not in Favor	NET VOTE	
					(S=Sponsor/Co-Sponsorship/Letter Sign-On, CV=Committee Vote, FV = Floor Vote) Thumbs Up = In our Favor, Thumbs Down = Not in our Favor														
					FV	FV	FV	FV	FV	S/CV	S/CV	FV	FV	FV	FV	Thumbs Up	Thumbs Down	[Favor] - [Not]	
ASSEMBLY																			
Karl	Brabenec	R	AD-98	Member of Assembly Labor, Rules and Ways & Means committees.	👍	👍	👍	👍	👍			👍	👎	👍	👎	3	6	-3	
Aileen	Gunther	D	AD-100	A nurse. Chairs Assembly Mental Health Committee and Women's Health Subcommittee. Member of the Health Committee. Sponsor of Drug Take Back Bill. Good relationship with MSSNY staff.	👍	👍	👍	👍	👍			👎	👎	👎	👎	5	4	1	
Jonathan	Jacobson	D	AD-104	Member of Assembly Insurance and Labor Committees.	👍	👍	👍	👍	👍			👎	👎	👎	👎	5	4	1	
Brian D.	Miller	R	AD-101	Member of Assembly Committee on Consumer Affairs and Protection.	👍	👍	👍	👎	👎			👎	👍	👎	👎	4	5	-1	
Colin	Schmitt	R	AD-99	Member of Assembly Labor and Insurance Committees. Running for Congress.	👍	👍	👍	👎	👎		👍	👎	👍	👎	👎	4	6	-2	

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					FV	FV	FV	FV	FV	S/CV	S/CV	FV	FV	FV	FV	Thumbs Up	Thumbs Down	[Favor] - [Not]			
SENATE																					
Mike	Martucci	R/C	SD-42	Member of the Senate Committee on Disabilities, Commerce, Economic Development, and Small Business. Not running for re-election.	👍	👍	👍	👍	👍			👎	👎	👎	👎	3	6	-3			
James	Skoufis	D	SD-39	Member of Senate Finance, Judiciary, and Labor Committees. Strong supporter of PBM regulation. Father-in-law is a physician in NYC. Good relationship with MSSNY staff.	👍	👍	👍	👍	👍	👍	👍	👎	👎	👎	👎	7	4	3			