

*Legislative Update from the
NYS Assembly Commission on*

Rural Resources

Sheldon Silver, Speaker ■ Aileen M. Gunther, Vice Chair ■ Summer 2012



Dear Friends,

Last year I was appointed Vice-Chair of the Legislative Commission on Rural Resources. As a mother who sent her children to rural schools, a nurse who practiced in rural medical settings, someone who drives on rural roads and a long-time resident of a small town, I understand your concerns. I am proud of my reputation as a strong advocate for my fellow rural New Yorkers.

The Assembly District I represent includes much of the beautiful Catskill region, including all of Sullivan County and parts of Orange County. I grew up in Orange County, received my nursing degree from Orange County Community College, and studied at the State University of New York at New Paltz. For nearly 30 years, I worked as a registered nurse in the surgery, obstetrics, mental health, and emergency departments at Catskill Regional Medical Center.

There, I learned first-hand the policy issues and challenges we face in rural health care.

The purpose of the Commission is to develop policies and programs to address the unique needs of rural communities, individuals, businesses, institutions, local governments, service providers and others. In addition, the Commission represents the interests of rural New York in the halls of the Capitol and throughout State government. This newsletter and our Assembly website outline many of the great accomplishments we had in the 2011-2012 Legislative Session. These accomplishments represent the dedicated work of my Commission colleagues in the Assembly and Senate.

I look forward to continuing our work to address the pressing needs facing rural communities and educating my colleagues from urban and suburban areas about our priorities and the importance of rural New York to the economic and social well-being of our State.

Please don't hesitate to contact me with your concerns, suggestions and proposals to enhance our quality of life.

A handwritten signature in black ink that reads "Aileen Gunther". The signature is written in a cursive, flowing style.

Aileen Gunther, Vice-Chair



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Rural Commission sponsors roundtable to discuss telemedicine/telehealth

Access to health care can be life-changing, especially for individuals who may live in rural or isolated areas. The Commission, and the Senate and Assembly Committees on Health and Insurance, met with over a dozen healthcare providers and leaders in January, 2012 to discuss the benefits and barriers to expanding the use of telehealth. The roundtable discussion, “Telemedicine and Telehealth: Putting the Pieces Together” included hospital associations, home health care agencies, the NYS Department of Health, the NYS Office of Mental Health, insurers, physicians and nurses.

Telehealth is a mode of delivering health care services by means of information and communications technologies for assessment, diagnosis, consultation, treatment, education, care management and self management of a patient’s health care. Telemedicine involves real-time delivery of clinical health care services to a patient at one site by a health care provider at a distant site.

Assemblywoman Aileen Gunther, Vice-Chair of the Commission on Rural Resources, noted that, “Telehealth and telemedicine are invaluable tools for practitioners and patients, alike. It is not only a cost-effective tool, but it gives patients in more rural areas or those with limited ability to travel access to specialized medical care, which can often mean the difference between life and death.”

One of the participants spoke about the impact on his own grandson who was hospitalized for several years with multiple birth defects until a telemedicine consul-

tation with Columbia University changed his diagnosis and treatment. As a result the child’s hospitalizations were reduced from 40 days a year to 20 days over a three year period.

Others commented on the potential benefits for rural seniors who need coordinated services to remain healthy and safe in their homes. The use of telehealth technology is less costly and less disruptive than relying on hospitals and nursing homes. In areas where patients may face barriers in obtaining preventive health care or chronic disease management, these technologies bring services that help them better control their own health. Critical telemedicine interventions at hospitals from distant specialists can save lives, reduce the need for higher-cost services and prevent patients from having to be transported away from their families.

The discussion identified barriers to expanding the use of telemedicine/telehealth. Insurance coverage and reimbursement of telehealth services, and hospital requirements for physician credentialing and peer review were identified as major policy issues to be addressed. The Commission developed two pieces of legislation based on the input received. One would improve insurance coverage for telehealth services (A9833) and the other would provide guidance for the granting of hospital privileges for telemedicine physicians (A9834).

The credential bill passed the Legislature this year and the Commission plans to continue to work next year to develop a more comprehensive statewide approach to expanding the use of the telehealth/telemedicine.



Assemblywoman Gunther (2nd from left) and her Senate and Assembly colleagues gathered recommendations at a telehealth roundtable that resulted in two bills, one of which became law this year.

Rural New York Budget Highlights 2011-12

Over the last few years, the State was forced to close multi-billion dollar budget gaps.

In 2011 alone, New York faced a \$10 billion deficit, which required significant cuts to many programs. Despite the budget pressures, the Commission successfully worked with our colleagues in the Legislature to support increases for a few programs and partial funding restorations for other rural priorities. We will continue to advocate for these programs to be fully restored.

Agriculture Programs - In 2011, the Legislature increased funding by over \$1 million for Farmland Protection and \$800,000 for the Farm Viability Institute. In 2012, \$3 million was added for Agriculture Economic Development. We also restored to previous year's funding levels other Ag programs that were slated for elimination or significant reduction.

Health - In 2012, over \$500,000 in school health center funding, serving many rural districts, was restored from cuts made several years ago.

Housing Programs - The Rural Preservation Housing Program faced a 50% funding cut in 2011. The Legislature was able to restore funds to keep the reduction to less than 10%. In 2012, the Program's funding was increased by over \$600,000, more than making up for the previous year's cut. The Rural Rental Assistance Program was increased in 2012 by nearly \$5 million. The Rural Area Revitalization Program for housing received \$4 million this year, the first appropriation for this program in several years.



Assemblywoman Gunther visiting a farm in Roscoe, NY, one of many in her Assembly District.

Rural Resources Legislation

The status of the bill at the end of the 2011-12 Session is indicated in bold. The Committee status is for Assembly Committees. For more detail, and updated status, on these bills and any other legislation through the end of 2012, please visit <http://assembly.state.ny.us/leg/> and enter the complete bill number.

A3557 (Magee) Authorizes State Soil and Conservation Districts to be eligible applicants for the local waterfront revitalization grant program. **Environmental Conservation Committee**

A3793-A (Morelle) Creates the New York State Telehealth/Telemedicine Development Program to coordinate and focus state policy and program planning for telehealth and telemedicine. **Health Committee**

A4781 (Magee) Enhances the ability of farmers and other landowners to selectively harvest timber within a regulated wetland without disturbing the environmental integrity of the wetland. **Environmental Conservation Committee**

A5792 (Galef) Authorizes two or more contiguous towns to jointly purchase highway equipment. **Transportation Committee**

A5822 (Gunther) Establishes that owners, lessees and occupants of premises owe no duty of care to keep their premises safe for certain recreational activities. **Judiciary Committee**

A5823 (Gunther) Provides a procedure for municipalities to initiate annexation of property. **CHAPTER 190 LAWS OF 2012**

A5824 (Gunther) Authorizes town highway superintendents to contract with other municipalities, district corporations, school districts, community colleges or the state university. **Transportation Committee**

A5825 (Gunther) Provides for notification of prospective purchasers of real property that the property is within 500 feet of an Ag District. **Passed Assembly**

A5827 (Gunther) Increase the threshold for cost of construction that requires a licensed professional's services. **Higher Education Committee**

A5828-B (Gunther) Prohibits local assessors from increasing the assessed value of real property based on the stumpage value of the trees thereon and establishes a forestland taxation task force. **Real Property Taxation Committee**

A5829 (Gunther) Authorizes municipalities to utilize mediation in the prevention or resolution of municipal planning and zoning disputes. **Judiciary Committee**

A5841 (Gunther) Promote compliance with comprehensive plans and land use regulations when a project is proposed by a public corporation. **Local Governments Committee**

A6024 (Reilly) Amends the definition of "agricultural buildings" to include maple production facilities and sugarhouses. **Governmental Operations Committee**

A6212-A (Magee) Increases the acreage of farm woodland which qualifies as land used in agricultural production for agricultural assessment purposes. **Agriculture Committee**

A6282-A (Magee) Defines retail farm operations under the definition of farm operations, and the provisions of sound Ag practices necessary for on-farm production, prep and marketing. *New bill 2011-12.* **Agriculture Committee**

A6325 (Gunther) Authorizes towns to designate certain town roads as low volume roads and certain low volume roads as minimum maintenance roads. **Transportation Committee**

A7892 (Gunther) Authorizes the Commissioner of Health to award grants without competitive bid under the Health Care Efficiency and Affordability Program to home care. *New bill 2011-12.* **Health Committee**

A7894 (Gunther) Permits certain nurses and patients to exercise the authority under the existing Nurse Practice act for the provision of care at home. *New bill 2011-12.* **Higher Education Committee**

A7895 (Gunther) Create a rural home health flexibility program. *New bill 2011-12.* **Health Committee**

A9464 (Gunther) Increases the reimbursement cap for Soil and Water Conservation Districts from \$30,000 to \$60,000. *New bill 2011-12.* **CHAPTER 316 LAWS OF 2012**

A9833 (Gunther) Requires insurers and Medicaid to provide coverage for the provision of telehealth services. *New bill 2011-12.* **Health Committee**

A9834 (Gunther) Provides for the credentialing of health care providers providing telemedicine services. *New bill 2011-12.* **CHAPTER 390 LAWS OF 2012**

A10094 (Russell) Increases payments to rural critical access hospitals. **VETO NO. 148**