



NEW YORK STATE SENATOR

Shelley B. Mayer

## New York State Senate and Assembly Pass Legislation Sponsored by Senator Shelley B. Mayer and Assembly Member Karines Reyes, RN to Enhance Protections for New York Doctors Providing Medication Abortion via Telehealth (S.36A/A.2145A)

SENATOR SHELLEY B. MAYER January 23, 2025

| ISSUE: **REPRODUCTIVE HEALTH, TELEHEALTH, ABORTION**

(Albany, New York) - The New York State Senate and Assembly have passed legislation, sponsored by Senator Shelley B. Mayer and Assembly Member Karines Reyes, RN, to strengthen New York's telehealth shield law by allowing pharmacies and providers filling prescriptions to use the provider's practice name instead of the provider's name on the prescription label for abortion medication ([S.36A/A.2154A](#)).

Since the Supreme Court's disastrous decision to revoke the constitutional right to an abortion in *Dobbs vs. Jackson Women's Health Organization* in June 2022, medication abortion has become a lifeline for many individuals seeking abortions in hostile states. In 2023, New York passed a telehealth shield law which has allowed providers based in the state to send thousands of abortion pills each month to patients in hostile states, helping women who may not otherwise be able to access abortion care. According to the [Associated Press](#), as of June 2024, an estimated 1 in 10 abortions nationwide took place as a result of pills prescribed through telehealth to a patient in a hostile state.

This bill, S.36/A.2154A, will strengthen New York's telehealth shield law and make it more difficult for hostile states to target New York doctors serving patients in states with limited or no access to abortion. Modeled after a recently enacted Washington law (Chapter 257 of Washington laws of 2024), this bill would allow prescribers to request that the dispensing pharmacy include the name of their practice, rather than their name, on the prescription label for medication abortion pills. Or in cases where a doctor directly fills their prescriptions, the bill would allow those doctors to use their practice name in lieu of their own name on the label.

**Senator Shelley B. Mayer said,** "I am extremely proud that my bill with Assembly Member Reyes to strengthen New York's telehealth shield law and protect the brave doctors who are taking on significant personal risk to help women in need access reproductive care has passed both chambers. As our doctors face threats from hostile states, I am committed to working with my colleagues to provide every possible protection. We, in New York, will continue to fight for our sisters across state lines whose futures, health, and well-being are threatened and the doctors serving them. I thank Assembly Member Karines Reyes, RN for carrying this bill in the Assembly, Majority Leader Andrea Stewart-Cousins and my colleagues who supported this important legislation, and the courageous, caring doctors who are committed to helping women across the country access critical healthcare."

"As our country's women and pregnant persons face the draconian policies of the new Trump Administration in the post-Dobbs landscape, creative solutions are required to achieve reproductive justice" **said Assembly Member Karines Reyes, R.N., Chair of the Bipartisan Pro-Choice Legislative Caucus.** "I am honored to join my colleague, Senator Shelley Mayer, in passing legislation that will enhance our state's existing abortion telemedicine law by better protecting physicians from personal prosecution and allowing the practices to be listed as the requesting entity for prescriptions. This will ensure that as states continue to wrongly

exhibit hostility toward women and pregnant persons in our society, New York State will be a leader in promoting personal freedom and access to quality health care. I am hopeful that Governor Hochul will join us by signing this vital legislation into law.”

“The NYS Academy of Family Physicians, representing nearly 6,000 family physicians, residents and students across the State commends Senator Mayer and Assembly Member Reyes for championing this legislation to enhance New York's shield law and protect the identity of individual clinicians providing medication abortion care," **said Dr. Rachelle Brilliant, President of NYSAFP.** "This legislation is consistent with policy adopted by the NYSAFP Congress of Delegates to protect physicians licensed and residing in New York providing reproductive health care services via telehealth for patients who need it. We thank the State Senate and Assembly for passing it and urge Governor Hochul's swift approval so this added protection is in place immediately.”

“The Abortion Coalition for Telemedicine (ACT) commends Senator Shelley Mayer and Assembly Member Karines Reyes for their leadership in this important bill S.36/A.2145 to enhance protections for telemedicine abortion providers in New York State. With the new federal administration hostile to abortion, we need the strong protection and recognition of abortion rights as fundamental human rights and appreciate Governor Hochul's continued work to make sure telemedicine abortion remains affordable and available for all. S.36/A.2145 is part of a much-needed risk-mitigation strategy to allow for safe and effective abortion pills to be available in line with New York's Telemedicine Abortion Shield Law,” **said the Abortion Coalition for Telemedicine.**

"The Center for Reproductive Rights thanks Senator Mayer and Assembly Member Reyes for championing the protection of New York telehealth providers who are bridging the abortion access gap for thousands of people every month," **said Lizzy Hinkley, Senior State Legislative Counsel, State Policy & Advocacy Unit.** "As a leading advocate for telehealth shield protections,

the Center urges other states to join New York in prioritizing the privacy and safety of abortion seekers and abortion providers. Legal protections like those in NY S 36/NY A 2145 ensure telehealth providers continue to reach pregnant people in the 16 states currently enforcing abortion bans, empowering them to exercise their human rights to bodily autonomy and self-determination. We commend the bill sponsors and urge Governor Hochul's swift approval."

In 2023, New York passed a telehealth shield law, introduced by Senator Mayer and Assembly Member Reyes (Chapter 138 of the laws of 2023), to provide broad protection to doctors based in New York who serve patients in hostile states via telehealth. These protections include shielding New York health care practitioners against states that may try to impose criminal sanctions upon them and protection from professional disciplinary action or adverse action from medical malpractice insurers.

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#### RELATED LEGISLATION

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### **2025-S36A**

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to the labeling of mifepristone, misoprostol, and their generic alternatives

December 17, 2024

Signed by Governor

Sponsored by **Shelley B. Mayer**

Do you support this bill?