



NEW YORK STATE SENATOR

Gustavo Rivera

## Statement from State Senator Gustavo Rivera on Governor Cuomo's Veto of Bill Requiring Medicaid Coverage For Blood and Skin Prick Testing for Allergies

GUSTAVO RIVERA December 5, 2017

| ISSUE: **HEALTH, HEALTH DISPARITIES, BLOOD ALLERGY TESTING, SKIN PRICK TESTING, MEDICAID PATIENTS**

(Bronx, NY) - On Wednesday, November 29, bill S1222/A00807, sponsored by State Senator Gustavo Rivera and Assemblymember Nick Perry, was vetoed by Governor Andrew Cuomo. This bill would ensure critical access to blood allergy testing in addition to the already covered skin prick testing for Medicaid recipients seeking to determine an allergic condition.

While the veto message issued by Governor Cuomo raised a reasonable concern about the legislation's potential fiscal impact to our State's Medicaid program, it fails to recognize the benefits of implementing such policy. This bill would not only promote a clinically proven practice that could prevent thousands of New Yorkers from suffering from avoidable and life-threatening medical complications, but it could also prevent avoidable emergency room visits and the high costs that come along with it. For instance, according to a 2011 report by the Office of New York State Comptroller Thomas DiNapoli, New York State's asthma related hospitalizations, which are closely related to allergies, cost approximately \$660 million. In addition, the veto message does not consider the impact this policy shift could have in helping reduce the health disparities that continue plaguing especially low income and minority communities across our State.

The two objections outlined in the Governor's veto message fail to take into consideration key factors. The veto message states that Medicaid already treats blood allergy tests and skin prick tests as equivalent confirmatory tests. While this is somewhat true, it does not acknowledge that the policy is extremely limited. Currently, it only covers children age 3 or under, patients who have a skin condition that would not be conducive to skin prick testing, or patients who cannot discontinue medications as a precursor to skin prick testing. Bill S1222 would have made both skin prick testing and blood allergy testing available to all Medicaid patients seeking to determine an allergic condition.

The veto message also argues that the bill could have the unintended consequence of reducing the number of patients obtaining accurate diagnoses by allergy specialists. The reality is that there are only a few hundred allergy specialists across the State, including approximately 243 in New York City, 15 in Buffalo and 11 in Albany. Scheduling an appointment can take up to six months for Medicaid patients, and require extensive travel. Covering blood-based allergy testing under Medicaid would allow primary care doctors to directly order the test, determine an appropriate course of treatment, and help prevent unnecessary medical complications. A primary care doctor would still be able to refer a patient to an allergy specialist if they deemed it medically necessary.

As the first line of care for most patients, primary care physicians could directly administer a blood-based allergy test if it were to be covered under Medicaid. This critical shift in Medicaid policy could potentially help reduce the number of asthma and allergy related hospitalizations, which are already higher among patients with Medicaid coverage. In addition, this bill would have aligned the New York State Medicaid program's allergy testing policy with the asthma and food allergy guidelines set by National Institute of Health as well as with the procedures already implement by private health care insurance providers.

"As the Ranking Member of the New York State Senate Health Committee and the sponsor of S1222, I am deeply disappointed that this bill was vetoed. This common sense policy could have ensured that Medicaid patients across New York State have greater and easier access to different options of allergy testing, allowing them to identify and treat their allergies faster and more accurately. This measure would have saved New York State significant costs in emergency care, help reduce health disparities, and improved our health care system. I am committed to continue working with Assemblymember Perry and Governor Cuomo's office to address the lack of access to comprehensive allergy testing in New York State's Medicaid program," said State Senator Gustavo Rivera.

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#### RELATED LEGISLATION

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### **2017-S1222**

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

- Vetoed By Governor
- Signed By Governor
- 

Requires Medicaid coverage of both blood testing and skin prick testing for allergies

January 06, 2017

Vetoed

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Do you support this bill?