



NEW YORK STATE SENATOR

Jen Metzger

## Senator Metzger Lauds COVID-19 Bills Passed by the State Legislature this Week

JEN METZGER May 29, 2020

| ISSUE: **CORONAVIRUS PANDEMIC; COVID-19, TELEHEALTH, SMALL BUSINESS DEVELOPMENT**



**Albany, NY...**State Senator Jen Metzger (SD-42) today announced the passage of major legislation to help support New Yorkers during the current COVID-19 pandemic and better prepare the state for future emergencies. The bills sponsored and co-sponsored by Senator Metzger cover a range of statewide needs during the state of emergency and beyond, including much-needed relief to New Yorkers facing COVID-related financial hardship, assistance to small businesses to operate safely, consumer protections from rampant price

gouging, improved emergency preparedness in residential healthcare facilities, and more. Over 30 bills await the Governor's signature, including Senator Metzger's bill (S8416) to include audio-only services in the definition of telemedicine so that New Yorkers without broadband or video capability have affordable access to healthcare remotely.

"We passed a broad range of important legislation this week to help New Yorkers during this critical time, including my bill to expand access to telehealth, which is so desperately needed in our rural and underserved areas," **said Senator Metzger.** "By making audio-only services reimbursable, this legislation will greatly expand affordable access to telemedicine, reduce barriers to care in rural communities, and allow individuals to practice social distancing to reduce the spread of COVID-19."

Currently, under public health law, telemedicine must include both audio and video services to be eligible for reimbursement by Medicaid and the Child Health Insurance Plan. Metzger's bill amends the law to authorize audio-only provider services as eligible for reimbursement so that phone calls with medical professionals can also be covered to ensure widest possible access to healthcare services, including by those without internet, computer or smartphone. The NYS School Boards Association and NYS Psychological Association both advocated for passage of the bill, which is sponsored in the Assembly by Assemblymember Linda B. Rosenthal (AD-67).

"Our work is far from finished, and I will continue to serve Mid-Hudson Valley and Catskills communities through the course of the COVID-19 pandemic," **said Senator Metzger,** who co-sponsors a number of the bills in the COVID-19 package, including:

#### **Extending the "Look Back" Window in the Child Victims Act**

**S7082:** Last year, Senator Metzger co-sponsored and helped pass the Child Victims Act (CVA), which extends the statute of limitations for adult survivors of childhood sexual abuse to file

suit against their abusers, and creates a one-year "look-back" window during which adult survivors of childhood sexual abuse can file suit even if the statute of limitations has passed. This look-back window was cut short due to the closure of courts during the pandemic, and the Legislature passed legislation to extend it a full year to August 14, 2021, so that victims can have full opportunity to get the justice they so deserve.

### **Providing Relief for Renters and Homeowners**

**S8113A:** With many New Yorkers suffering from loss of employment during this pandemic and struggling to pay their utility bills, the State Legislature passed legislation prohibiting utilities and municipalities from terminating electricity, gas, water, and phone (landline) services through March 31, 2021, and giving customers the right to enter into a deferred payment plan without utility penalties or late fees.

**S8243C:** To assist homeowners having difficulty keeping up with their mortgage payments, the State Legislature passed legislation requiring state-chartered banks and state-regulated mortgage servicers to grant 90 days of forbearance to residential mortgage holders who can demonstrate financial hardship as a result of the COVID-19 pandemic. The legislation would also allow any mortgage holder who is granted forbearance to choose either to extend their loan for the length of the forbearance or defer their arrears as a lump sum payment due at the maturity of the mortgage, which will ease the burden of repayment.

**S8419:** For struggling renters, the Emergency Rent Relief Act of 2020 provides rental assistance vouchers to landlords on behalf of tenants who experienced an increase in rent burden because of a loss of income during the COVID-19 pandemic, using funding received from the Federal CARES Act authorized for rental assistance, among other purposes.

**S8138B:** This legislation will permit municipalities to defer certain property taxes during the COVID-19 State of Emergency and will also permit installment payments to be determined by the local legislative body. No additional interest or penalties would accrue during such deferment.

### **Loan Support for the Local Small Business Communities**

**S8181A:** To help local businesses and not-for-profit organizations who have been hit hard during this pandemic, the State Legislature passed legislation granting Industrial Development Agencies (IDAs) authority through December 31, 2021, to provide loans of up to \$25,000 for supplies and materials to protect health and safety, such as personal protective equipment and protective plexiglass windows. At a time when cash-strapped businesses need to take extra measures to protect health and safety but can least afford it, this legislation affords much-needed assistance.

### **Supporting Frontline Workers and their Families**

**S8251B:** This legislation ensures that active volunteer firefighters and ambulance workers receive credits toward their Length of Service Award Program (LOSAP) during the COVID-19 pandemic. This pension-like program helps recruit, retain, and reward volunteer firefighters and ambulance workers for serving their communities.

**S8427:** Many state workers have been on the frontlines fighting this pandemic. Bill S8427 guarantees death benefits for the families of civil servants in New York State who were required to report to work during the COVID-19 pandemic and who contracted the virus while on duty.

**S8397A:** This legislation will prohibit health care employers from retaliating against health care workers speaking out about workplace safety or health violations including to the news

media or on social media.

### **Advancing Price Gouging Protections for Consumers**

**S8189:** Price gouging has been rampant during this pandemic, with many thousands of cases reported to the NYS Attorney General. To protect New Yorkers against this unscrupulous practice, the State Legislature passed legislation to expand the state's price-gouging laws to cover essential medical supplies and services, and impose a \$25,000 fine on violators.

### **Pandemic Preparedness for Residential Health Care Facilities**

**S8289B:** Nursing homes have been at the epicenter of this pandemic. This bill seeks to ensure that they are better prepared in the future by requiring residential health care facilities to prepare an annual pandemic emergency plan to ensure that facilities are able to respond to future public health emergencies and keep their residents safe. Facilities are required to make such plans publicly available on their website, and they are to include plans for communicating with families regarding resident status; protecting residents, staff and visitors from infection; preserving a residents' place in the facility if he/she is hospitalized; and ensuring that the facility maintains or has access to at least a two-month supply of personal protective equipment. Facilities found to be in violation of these requirements may be subject to civil penalties.

“From my perspective, this is just a first step,” **said Senator Metzger.** “I have also co-sponsored legislation (S8270) to improve accountability and oversight of residential healthcare facilities in a state of emergency related to a communicable or infectious disease, and believe we need a full investigation to determine the causes of the tragic loss of life in our nursing homes during this pandemic.”

### **Making Absentee Voting Easier**

**S8130D:** To make it easier to obtain an absentee ballot in the mail, the State Legislature passed legislation enabling qualified voters to complete an application for the ballot online, without having to sign the application. (Voters are still required to sign the actual ballot). The legislation also extends the deadline by which ballots need to be postmarked to the day of the election.

“It is my belief that our absentee voting process is still too cumbersome, as well as costly, and in March I introduced a bill ([S8120](#)) to require the State Board of Elections to develop a plan for automatic vote by mail during a state of emergency, similar to election systems that have been in place for some time in states like Oregon, Colorado, and Washington,” **said Senator Metzger**. “During a pandemic, and at all times, New Yorkers need to be able to safely exercise their most fundamental right to vote.”

### **Protecting State Aid for Our Public Schools During COVID-19**

**S7996B:** By law, school districts are required to be in session for 180 days or they risk losing State aid. Some school districts closed their schools to protect public health during this crisis before closures were mandated statewide, potentially putting their funding in jeopardy. This legislation protects funding for these school districts by clarifying that they will not be financially penalized for choosing to close as a result of COVID-19.

### **Combating COVID-19 and Protecting New Yorkers' Health**

**S8245A:** This legislation will require the Department of Health to conduct a study on the health impacts of COVID-19 on minorities in New York State. This builds on the recent joint legislative hearing held on the disproportionate impact of COVID-19 on minority communities.

**S8363:** This legislation will include the Commissioner of the Office of Addiction Services and Supports (OASAS) as a member of the Disaster Preparedness Commission. During the COVID-19 pandemic, researchers indicated a likely spike in relapse and emerging substance use disorders, including OASAS in the disaster management planning will ensure addiction service providers are not overlooked and are able to provide the best care for their patients.

### **Maintaining Quality of Life and Important Services**

**S8417:** This legislation will provide financial and budgetary flexibility to local governments as they continue to operate and provide essential services and finance COVID-19 related costs by extending the rollover period for bond anticipation notes, authorizing local governments and school districts to utilize reserved funds for COVID-19 expenses and extending the repayment time frame of inter-fund loan advances made for COVID-19 expenses.

**S8236A:** This legislation authorizes local governments during the current state of emergency to issue a single resolution extending the expiration date for all active building permits and zoning actions for a period of up to 120 days beyond the expiration date stated in the permit.

**S8410:** This legislation extends construction grants to public libraries for an additional 12 months if they received library construction grant aid between 2017 and 2020 and were unable to complete the project due to COVID-19.

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RELATED LEGISLATION

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**2019-S8416**

- 
- 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
  
  -

Includes audio-only and video-only telehealth and telemedicine services in those telehealth and telemedicine services eligible for reimbursement

May 25, 2020

Signed by Governor

Sponsored by **Jen Metzger**

Do you support this bill?