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Legislative Report to AAOP - NYS Chapter October 2006

The following is a summary of legislation introduced in the State Legislature during the 2005-2006 Session of interest to AAOP and the practice of orthotics and/or prosthetics in New York State.

In addition to the legislation summarized below, last year Governor Pataki submitted Workers' Compensation Reform legislation that mandated that the program cover prosthetic services. While this reform package was not passed by the Legislature it will likely serve as the framework for any Workers Comp reform in 2007.

With the upcoming state elections, things will be changing dramatically in Albany. Governor Pataki is not seeking re-election and current Attorney General Eliot Spitzer is the odds-on favorite to become the next Governor. He has promised to overhaul state government starting January 1.

The balance of power is unlikely to change dramatically in the Democratic controlled State Assembly or Republican State Senate. There are some who think that the Republicans will lose at least one seat of their 35-27 Majority. However, that would not change the balance of power significantly. Democrats in the Assembly command a 104-46 Majority and may actually pick up a seat or two this November.

The bottom line is that Republicans will continue to control the Senate and Democrats the Assembly. As AAOP - NYS Chapter moves ahead with licensure efforts we do not anticipate any major changes among the key legislative leaders.

The bills listed below are active for the 2005-06 Legislative Session only and will require reintroduction in 2007 if they are to be considered by the Legislature. Each bill is active for a two-year legislative cycle – the next one beginning January of 2007.

Bill # / Sponsor	Title	Summary	Action
<p>Assembly Bill A.450 (Gunther)</p> <p>Same as Senate S.599 (Bonacic)</p>	<p>AN ACT to amend the insurance law, in relation to mandatory health insurance coverage for providing prosthetic devices</p>	<p>Amd SS3216, 3221 & 4303, Ins L Relates to mandatory health insurance coverage for providing prosthetic devices equal to or above Medicare's standard of coverage; includes the repair or replacement of a prosthetic device required to be worn or used by a policy holder; coverage includes expenses for assessment, evaluation, treatment, management, and follow-up care.</p>	<p>Referred to Insurance Committee.</p> <p>No Action.</p>
<p>Assembly bill A.4697 (Pretlow)</p> <p>Same as Senate S. 6789 (Libous)</p>	<p>AN ACT to amend the education law, in relation to the definition of the practice of podiatry</p>	<p>Amends S7001, Ed L Expands the definition of the practice of podiatry to include within such practice, treatment of conditions of the ankle and all soft tissue structures below the knee governing the function of the foot and ankle.</p>	<p>Referred to Higher Education Committee.</p> <p>No Action.</p>
<p>Assembly Bill A.6924 (Rivera P)</p> <p>No same as</p>	<p>AN ACT to amend the social services law, in relation to provision of podiatric custom orthotics under the medical assistance for needy persons program</p>	<p>Amends S365-a, Soc Serv L Establishes standards for the prescription of podiatric custom orthotics to eligible patients receiving medical assistance for needy persons; provides for retroactive application.</p>	<p>Referred to Social Services Committee.</p> <p>No Action.</p>
<p>Assembly bill A.7714 (Colton)</p> <p>No same as.</p>	<p>AN ACT to amend the public health law, in relation to general powers and duties of the commissioner of health</p>	<p>Amd S206, Pub Health L Provides that the commissioner of health shall notify owners of a prosthetic device that said device has been recalled for defect within 30 days of said recall.</p>	<p>Referred to Health Committee.</p> <p>No Action.</p>

<p>Assembly bill A.7715 (Colton)</p> <p>No same as.</p>	<p>AN ACT to amend the insurance law, in relation to health insurance coverage of prosthetic limbs</p>	<p>Amd SS3221 & 4303, Ins L Provides for health insurance coverage for loss or damage to prosthetic limb; also provides for coverage for replacement of limb as prescribed by a doctor.</p>	<p>Referred to Insurance Committee.</p> <p>No Action.</p>
<p>Assembly Bill A.11835 (Rules -- Request of Rivera J)</p> <p>Same as Senate S.8478 (Golden)</p>	<p>AN ACT to amend the tax law, in relation to exempting orthopedic footwear from sales and use tax</p>	<p>Amd S1115, Tax L Relates to exempting orthopedic footwear from sales and compensating use tax.</p>	<p>Referred to Ways and Means Committee in Assembly. Referred to Rules Committee in Senate.</p> <p>No Action.</p>