



June 23, 2021

Hon. Andrew M. Cuomo  
Governor of the State of New York  
New York State Capitol Building  
Albany, NY 12224

Dear Governor Cuomo:

We are writing on behalf of the hundreds of thousands of New Yorkers who receive mental health and/or substance use disorder care through the state's public mental hygiene system, and the providers who serve them. The signatories below are seeking immediate clarification on the impact today's announcement - that the State's COVID-19 emergency order will end tomorrow- will have on telehealth executive orders. At minimum, we believe clarification should be issued immediately to mental health and substance use disorder agencies so that critical behavioral health services may continue and not be disrupted. Also, we request that behavioral health providers are held harmless as they continue to provide crucial and often life-saving services until such clarification and direction is received.

Provider agencies from across the State have been calling asking such questions as:

1. Do the telehealth executive orders end tomorrow, or end on July 5<sup>th</sup>?
2. The budget included several changes to telehealth, however regulations and guidance for implementation have yet to be released. Do providers need to revert to the pre-pandemic regulations?
3. Are providers allowed to continue providing service through audio-only telehealth?
4. Is there an in-person visit requirement? What are the rules for providers to continue serving individuals who initiated services via telehealth and have yet to be seen in person?
5. Is verbal consent still allowed? For providers who have verbal consents (including many who have been working diligently to obtain written consents), when will they need to obtain written consents by?

Providers have worked diligently during the pandemic in partnership with the State agencies to best serve our clients. The need for adequate transition time and new regulations and guidance, particularly those on audio-only telehealth and the telehealth changes in the budget, are critical to meet the behavioral needs of New York's most vulnerable adults, children and families.

Please advise on next steps as to when information and clarification will be sent to behavioral health agencies so that we can inform our collective memberships and they in turn the individuals they serve. Thank you in advance for your attention to this time sensitive matter.

On behalf of the signatories below,

**Sebrina Barrett**, Executive Director, Association for Community Living

**Amy Dorin**, President and CEO, The Coalition for Behavioral Health

**Allegra Schorr**, President, Coalition of Medication-Assisted Treatment Providers and Advocates of New York State

**Paige Pierce**, Chief Executive Officer, Families Together in NYS

**Glenn Liebman**, Chief Executive Officer, Mental Health Association in New York State

**Wendy Burch**, Executive Director, NAMI-NYS

**John Coppola**, Executive Director, New York Association of Alcohol and Substance Abuse Providers

**Harvey Rosenthal**, New York Association of Psychiatric Rehabilitation Services

**Jackie Negri**, Director, New York State Care Management Coalition

**Andrea Smyth**, Executive Director, New York State Coalition for Children's Behavioral Health

**Lauri Cole**, Executive Director, New York State Council for Community Behavioral Healthcare

**Laura Mascuch**, Executive Director, Supporting Housing Network of New York