



## *In The News-New York State*



### **New Regulations Now in Effect Help New Yorkers Access Behavioral Health Treatment**

Governor Kathy Hochul this week announced that the State's new network adequacy regulations that give New Yorkers with qualifying health insurance plans access to an initial outpatient appointment for behavioral health care within 10 business days of the request have gone into effect.

The regulations also require plans to have dedicated employees who can help their members find an in-network provider. Additionally, the plans must provide a list of available in-network providers within three business days, following a member's request. These new consumer protections also require these plans to post up-to-date and accurate lists of in-network providers on their websites.

According to the Governor, as of July 1, New Yorkers covered by Medicaid Managed Care, Child Health Plus, and the Essential Plan are entitled to these important consumer protections for appointment wait times. For New Yorkers covered by commercial health insurance plans, these wait time standards will take effect on a rolling basis as their policies are renewed, modified, or purchased on and after July 1.

These new regulations build upon the State's [behavioral health protections and coverage requirements](#). Regulated by the State Department of Financial Services, these requirements now include:

#### **Mental Health and Substance Use Disorder Preventive Screenings**

If you have a comprehensive health insurance policy that is not grandfathered,\* the policy must cover preventive services without cost-sharing (deductible, copayment, or coinsurance) that are recommended by the United States Preventive Services Task Force ("USPSTF") as A or B recommendations, including:

- **Adult Depression.** Screening for depression and suicide risk in adults, including pregnant and postpartum persons.
- **Adolescent Depression.** Screening for major depressive disorder in adolescents aged 12 to 18.
- **Anxiety.** Screening for anxiety disorders in children and adults aged 64 or younger, including pregnant and postpartum persons.
- **Drug Use.** Screening for unhealthy drug use in adults aged 18 or older and offering services or a referral for diagnosis and treatment.
- **Alcohol Use.** Screening for unhealthy alcohol use in adults aged 18 or older, including pregnant women and providing persons engaged in risky or hazardous drinking with brief behavioral counseling to reduce unhealthy alcohol use.

- **School-aged Children Tobacco Use.** Education or brief counseling for school-aged children to prevent tobacco use.
- **Adult Tobacco Use.** Screening all adults and pregnant persons for tobacco use, advising them to stop using tobacco, and providing behavioral interventions and medication.
- **Intimate Partner Violence.** Screening for intimate partner violence in women of reproductive age and providing or referring women who screen positive to ongoing support services.

\*Grandfathered policies are those that have been in effect since 2010 and have not significantly changed.

### **Mental Health and Substance Use Disorder Services**

Health insurance policies must cover the diagnosis and medically necessary inpatient and outpatient treatment of a mental health condition or substance use disorder as follows:

#### **Inpatient Services**

- **Hospital.** Inpatient mental health and substance use disorder services in a hospital.
- **Crisis Residence Facility – Mental Health.** Inpatient sub-acute mental health services in a crisis residence facility licensed or operated by the NYS Office of Mental Health.
- **Facility – Substance Use Disorder.** Inpatient substance use disorder detoxification and rehabilitation services in a facility, including a residential facility, licensed, certified, or otherwise authorized by the NYS Office of Addiction Services and Supports.

#### **Outpatient Services**

- **Provider Office – Mental Health.** Outpatient mental health services in a health care provider's office (psychiatrist, psychologist, mental health counselor, marriage and family therapist, psychoanalyst, nurse practitioner, and licensed clinical social worker).
- **Facility – Mental Health.** Outpatient mental health services in a facility certified or operated by the NYS Office of Mental Health. (However, some services, like assertive community treatment, critical time intervention services, and mobile crisis services, are not required to be covered yet.)
- **Facility – Substance Use Disorder.** Substance use disorder services provided by a facility licensed, certified, or authorized by the NYS Office of Addiction Services and Supports.
- **Crisis Stabilization Center – Mental Health and Substance Use Disorder.** Outpatient mental health and substance use disorder services in a crisis stabilization center licensed by the NYS Office of Mental Health.
- **School-based Mental Health Clinic.** Outpatient mental health services in a school provided by a school-based mental health clinic licensed by the NYS Office of Mental Health, regardless of whether it is in-network.

### **Appointment Wait Times for Outpatient Mental Health and Substance Use Disorder Services**

Insurers must have in-network mental health and substance use disorder providers that will offer you an outpatient appointment for mental health and substance use disorder services within the following timeframes beginning on and after July 1, 2025 (when you buy or renew a health insurance policy):

- **10 business days** – First appointment at an outpatient facility, clinic, or with a health care professional.
- **7 calendar days** – Any follow-up after being discharged from a hospital or emergency room.

These appointments may be provided by telehealth, unless you request an in-person appointment.



# New York State Department of Health Releases Report on Sexual Orientation and Gender Identity

## *Approximately 8 Percent of New Yorkers Identify as Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, Intersex and Asexual (LGBTQIA+)*

The New York State Department of Health (DOH) this week released a new [Behavioral Risk Factor Surveillance System \(BRFSS\)](#) brief providing insight into the sexual orientation and gender identity of New Yorkers.

The report provides information that allows the State to better understand Lesbian, Gay, Bisexual, Transgender and Queer or Questioning, Intersex and Asexual (LGBTQIA+) communities, their health needs and the health disparities historically faced by these groups.

"Gender identity and sexual orientation are inherent to and deeply personal aspects of an individual's overall sense of self and identity. This telephone survey of adult New Yorkers provides us with important insights and a better understanding of the health needs and health disparities historically faced by Lesbian, Gay, Bisexual, Transgender and Queer or Questioning, Intersex and Asexual (LGBTQIA+) community members," State Health Commissioner Dr. James McDonald said. "While we've made progress in creating a more gender-affirming New York, our work is not done. The Department remains committed to improving social determinants of health, eliminating health disparities and protecting and promoting health and wellbeing for all."

LGBTQIA+ communities face stigma and discrimination that can lead to chronic stress, which can result in poor physical and mental health outcomes, according to DOH. Transgender and gender non-conforming individuals are often at an increased risk of experiencing targeted backlash.

The Brief found that over one million adults identify as LGBTQIA+ in New York State. An estimated 8.2 percent of adults identify as lesbian, gay, bisexual or another sexual orientation, while an estimated 1.4 percent of New York's adults identify as transgender, gender queer, gender non-conforming, non-binary or intersex.

Findings of the survey include:

- One in five adults aged 18-24 identify as lesbian, gay, bisexual or other sexual orientation (LGBO) (20 percent), as well as a larger segment of certain other demographic groups, including females, adults who are currently unemployed, adults living with disability and adults with food insecurity.
- LGBTQIA+ adults are more than twice as likely to have higher rates of frequent mental distress and have more prevalent substance use than non-LGBTQIA+ communities.
- LGBTQIA+ adults report having higher prevalence of two or more adverse childhood experiences, suicidal thoughts and planned or attempted suicide in the past year than the non-LGBTQIA+ population.

- Several health-related social needs are more prevalent in LGBTQIA+ communities, including cost barriers for needed medical care, the lack of a regular health care provider, housing insecurity and food insecurity.
- LGBTQIA+ communities report higher rates of sometimes, rarely or never receiving needed social and emotional support. However, in the past year a greater percentage of LGBTQIA+ New Yorkers report having accessed one or more resources to support their mental health than the non-LGBTQIA+ community.

A 2021 New York State [LGBTQ+ Health and Human Services Needs Assessment](#) found similar patterns of health inequity among LGBTQ+ communities, the Brief cited. The studies highlighted in the report suggest stigma and discrimination early in life significantly impact health equity. Examples of responses to societal stigma include stress responses, such as high blood pressure and anxiety, and can eventually result in poor mental and physical health. LGBTQ+ teens and young adults may be at increased risk for attempted suicide, depression and substance use disorder.

The Department's Bureau of Chronic Disease Evaluation and Research implements the New York State Behavioral Risk Factor Surveillance System, or BRFSS. The BRFSS is an annual statewide random telephone and cellular surveillance survey conducted in all 50 states and US territories. New York State's BRFSS sample is representative of the adult population living in private residences or college housing who have either a landline or cellular telephone, aged 18 years and older. Adults living in group homes or congregate settings are excluded from the survey.

## ***In The News-New York City***



NYC Office of the Mayor

### **Mayor Adams Announces Department of Sustainable Delivery to Boost Street Safety, Hold Delivery App Companies Accountable**

New York City Mayor Eric Adams and New York City Department of Transportation (DOT) Commissioner Ydanis Rodriguez this week announced that the Department of Sustainable Delivery (DSD) will conduct enforcement against illegal moped, e-bike, and e-scooter riding; ensure that commercial cyclists are using safe and legal equipment; and address vehicle parking behaviors that endanger pedestrians, cyclists, and e-bike riders.

In addition, as part of Mayor Adams' Fiscal Year 2026 Adopted Budget, new funding will support DOT hiring up to 45 new peace officers trained to issue moving violations, and enforce commercial cycling laws against businesses.

The Mayor also called upon the City Council to enact his legislation to regulate the delivery app industry.

The Adams administration's [proposed legislation](#) would authorize the city to revoke delivery apps' licenses for incentivizing reckless e-bike riding by requiring workers to meet unreasonably fast delivery times. If passed, the legislation would:

- Hold big delivery app companies accountable for incentivizing reckless e-bike riding by forcing delivery workers to make unreasonably fast deliveries;
- Establish safe delivery times;
- Penalize app companies that break the law; and
- Allow the city to revoke delivery apps' licenses.



## **Comptroller DiNapoli: Construction Jobs in NYC Not Fully Recovered From Pandemic Amid Lower Demand for Nonresidential Projects**

Despite having the fourth-largest construction sector in the nation, New York state is one of five states that have not recovered from pandemic job losses in the construction sector and a full recovery may take some time as construction businesses in New York City continue to face a variety of challenges, including softer demand for office space, according to [a report released this week](#) by State Comptroller Thomas DiNapoli.

“Spending on residential construction has rebounded since the pandemic, but nonresidential construction spending, especially in New York City, remains below 2019 levels and could continue to lag in the near future,” Comptroller DiNapoli said. “A number of factors, many of them out of the city’s control, will affect future growth in the construction sector. For example, federal policy on tariffs and immigration may impact construction costs and the labor pool. There are steps the city could take to facilitate growth, and encourage the development of infrastructure and buildings to foster local economic growth.”

Construction employment in the greater New York City metropolitan region, which includes Long Island, the lower Hudson Valley and most of northern New Jersey, totaled 388,700 jobs in 2024, the highest of any metropolitan area in the nation and 4.4% of the national total, according to the Comptroller.

The report found that New York state’s construction employment remains 4% (16,300 jobs) below its pre-pandemic level, the second lowest recovery among all states. The state’s construction sector would have fully recovered if not for New York City, where construction employment in 2024 was 11.3% (18,200 jobs) lower than in 2019. The city’s 143,100 construction sector jobs last year accounted for 36.7% of the state’s total construction jobs, down from a record high of 39.7% in 2019. Excluding New York City, construction employment in the state exceeded its 2019 level by 0.8 percent (1,900 jobs) in 2024.

According to the New York Building Congress (NYBC), nonresidential construction spending remains below pre-pandemic levels as market demands have changed due to hybrid work policies. Of the three categories of construction spending, nonresidential spending had the biggest decline (43%) in 2020. Despite three consecutive years of increases, by 2023, nonresidential construction was the only one still below 2019 spending, remaining 3.4% (\$786 million) lower at \$22.2 billion. Nonresidential spending was estimated to have fallen by 2.6% (\$572 million) in 2024 as demand remains low.

Residential construction spending fully recovered from the pandemic by 2023, exceeding its 2019 level by 17.6% (\$3.4 billion) to reach \$22.8 billion, reflecting the high demand for housing and rising inflation. The NYBC, however, estimated residential spending dropped by 16% in 2024, partly due to the expiration of the 421-a tax abatement program. Residential spending is expected to improve following the adoption of a replacement program, 485-x, in April 2024. The 467-m program for the conversion of non-residential buildings into residential buildings may also improve the outlook.

After a drop at the outset of the pandemic, government spending on construction projects reached \$23.3 billion in 2023, 18.1% higher than its 2019 level, and higher than both residential and nonresidential construction spending. The NYBC estimated that government spending increased in 2024 to a record high of \$28.1 billion. In 2025 and 2026, the NYBC expects government spending will decline as planned government capital spending may be at risk if the federal government cuts support for local projects. Both the city and MTA have substantial capital commitment targets, but fiscal uncertainty could impact project timing.

Comptroller DiNapoli's report notes that the composition of the labor force and recent immigration enforcement actions by the federal government have the potential to disrupt ongoing projects and the labor pool for the industry as a whole. In 2023, immigrants held 61% of the jobs in the construction sector in New York City, a much higher share than in the rest of the state and the nation.

Comptroller DiNapoli's report found:

- Construction spending in the city reached a record high of \$68.2 billion in 2023, partly due to rising costs, exceeding the pre-pandemic peak in 2019 by 10%. The number of construction businesses decreased by 3%, or 479 firms, in 2024, the first annual decline since 2011.
- In 2024, construction was the fifth (out of 10) highest-paying employment sector in New York City, with an average salary of \$95,800.
- The city's construction sector accounted for \$28.1 billion in economic activity in 2023, 3% higher than 2019. When adjusted for inflation, the construction share of the gross city product declined from 2.5% in 2019 to 1.8% in 2023 as other sectors, such as the information and professional and business services industries, took on significantly larger roles over the period.
- Around one-fifth of the jobs in the construction sector in New York state (20.7%) and the New York City metropolitan area (19%) were held by union members in 2024. Both shares were down significantly from 10 years ago (31.3% and 27.4% in 2014, respectively). For the five boroughs, the majority of construction workers are union members.
- The number of construction permits declined in 2023 and 2024, indicating that a return to pre-pandemic growth trends (4.5% annual average) has not yet occurred.





## **NYCHA Completes Elevator, Heating and Facade Improvements Serving Nearly 39,000 NYCHA Residents**

### ***Improvements Made Possible by \$1.2 Billion in State Funding***

Governor Kathy Hochul, New York City Mayor Eric Adams, and New York City Housing Authority (NYCHA) CEO Lisa Bova-Hiatt this week announced the completion of \$1.2 billion in renovations including 125 elevator replacements, 17 heating system upgrades, and 36 building facade renovations, benefitting 38,974 NYCHA residents at 24 developments across the five boroughs.

“These renovations will help tens of thousands of NYCHA residents stay safe, stay warm, and stay healthy. Thank you to the state for funding these critical upgrades and to all our NYCHA leaders for their tireless advocacy on behalf of our public housing tenants,” Mayor Eric Adams said.

The funding was provided by the State of New York through the Dormitory Authority of the State of New York (DASNY).

Additionally, State capital funding is also supporting an additional 126 elevator replacements, 105 heating systems upgrades, and 29 building facade renovations all currently under construction, and an additional 172 elevator replacements and 59 building facade renovations in design and procurement. In total, these capital investments are expected to benefit nearly 123,000 residents across 75 developments.

As part of the FY25 and FY26 budgets, Governor Hochul allocated an additional \$365 million to NYCHA, bringing the total state capital funding allocation to \$1.6 billion since 2019.

## ***Briefs***

### **NYS Comptroller: State Health Department Slow to Inspect Violations at Adult Care Facilities, Audit Finds**

The state Department of Health (DOH) is not adequately overseeing adult care facilities, risking the health and safety of vulnerable residents, according to an [audit](#) released this week by New York State Comptroller Thomas DiNapoli. The audit found DOH at times failed to conduct timely inspections and often lacked documentation to show critical problems were corrected.

As of 2023, there were 534 adult care facilities operating in New York, serving 37,547 residents. The audit reviewed DOH’s oversight of these facilities from January 2018 to October 2024. Auditors conducted site visits at 20 of the sampled adult care facilities across the state and found a range of serious health and safety issues, including:

- Crumbling stairs and walkways;
- Expired medication present four years after a prior citation;

- Staff still uncertified in basic first aid more than 13 months after being cited; and
- A half-empty vodka bottle in a medical room and marijuana paraphernalia in an administrator's office.

DOH received 7,440 complaints and completed 6,498 complaint investigations from 2018 through 2023. Auditors found DOH failed to fully investigate some complaints or adequately document its investigations. In a sample of 130 complaints, 18% of allegations had no evidence they were investigated.

The audit recommends that DOH improve procedures to ensure timely inspections, follow-up on violations, complete and document complaint investigations and communicate findings promptly. It also calls on DOH to improve the accuracy of its data by regularly reviewing and updating information in its tracking systems and ensuring inspection records are complete and categorized correctly. DOH acknowledged delays in inspections and correcting violations, citing staffing shortages and the COVID-19 pandemic as major challenges.

## **State Court Orders Mayor Adams to Enact Council Bill Expanding NYC Rental Aid Voucher Program**

A state appellate court [ruled](#) Thursday that Mayor Eric Adams must enact a package of legislation that would expand the city's rental assistance program.

The legislative package, which was adopted by the City Council last year after the mayor unsuccessfully tried to veto it, would increase access to CityFHEPS. The mayor initially refused to implement the bills due to cost concerns, asserting that it will cost the City with \$17 billion in additional spending over five years, according to published reports.

On Thursday, a panel of six judges from the Supreme Court's Appellate Division reversed a lower ruling, writing in a 13-page decision denying the mayor's claim that only the state has jurisdiction on the issue.

"Accepting the Mayor's contention that the State has occupied the entire field of rental assistance would undermine the State policy of allowing for local input into rental assistance policy and intrude upon the City's home-rule prerogative to have a say in matters pertaining to the health and well-being of its citizens," the judges wrote.

A spokeswoman for the Adams administration indicated they are "reviewing our legal options."

## ***Coming Up***

***New York State***

***Monday, July 14<sup>th</sup>***

***New York State Board of Regents Meeting***, 89 Washington Ave – Albany, 8:45 a.m.



## ***Tuesday, July 15<sup>th</sup>***

***\*New York State Lobbying Bimonthly Reports Are Due\****

***\*New York State Lobbying Client Semi Annual Reports Are Due\****

## ***New York City***

### ***Monday, July 14<sup>th</sup>***

***Committee on Aging***, Committee Room – City Hall, 9 a.m.

***Committee on Women and Gender Equity***, Committee Room – City Hall, 9:30 a.m.

***Committee on Environmental Protection, Resiliency and Waterfronts***,  
Council Chambers – City Hall, 9:30 a.m.

***Committee on Consumer and Worker Protection***, Council Chambers – City Hall, 10 a.m.

***Committee on Housing and Building***, Committee Room – City Hall, 10 a.m.

***Subcommittee on Landmarks, Public Sitings and Dispositions***, Committee Room – City Hall, 10:30 a.m.

***Committee on Finance***, Council Chambers – City Hall, 10:30 a.m.

***Subcommittee on Zoning and Franchises***, Committee Room – City Hall, 10:45 a.m.

***Committee on Children and Youth***, Council Chambers – City Hall, 11 a.m.

***Committee on Land Use***, Committee Room – City Hall, 11a.m.

***Committee on Governmental Operations, State & Federal Legislation***, Committee Room, 11:30 a.m.

***Committee on Parks and Recreation***, Council Chambers – City Hall, 11:30 a.m.

***Committee on Fire and Emergency Management***, Council Chambers – City Hall, 12 p.m.

***Committee on Economic Development***, Committee Room – City Hall, 12 p.m.

***Committee on Criminal Justice***, Committee Room – City Hall, 12:30 p.m.

***Committee on Oversight and Investigations***, Council Chambers – City Hall, 12:30 p.m.

***City Council Stated Meeting***, Council Chambers – City Hall, 3 p.m.

### ***Tuesday, July 15<sup>th</sup>***

***\*New York City Bi Monthly Lobbying Reports are due\****

**Wednesday, July 16<sup>th</sup>**

**Subcommittee on Zoning and Franchises**, Council Chambers – City Hall, 11 a.m.

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