

NEW YORK STATE HEALTH EQUITY & JUSTICE AGENDA FOR FISCAL YEAR 2024

Access and Autonomy: Health Equity In Action

Callen-Lorde Community Health Center (Callen-Lorde) believes healthcare is a human right, and comprehensive, quality healthcare should be available to all. The unprecedented attacks and restrictions on our bodily autonomy and rights threaten the health and well-being of queer communities, transgender and gender-diverse people, women, pregnant people, and Black and Brown bodies across the United States. Nationally last year, there were a record number of political and legislative actions targeting necessary gender-affirming healthcare for transgender people and especially transgender and gender non-binary (TGNB) youth. Closer to home, in New York, we face threats to the healthcare safety net, which is reeling still from the impact of the COVID-19 global pandemic and MPV/monkeypox outbreak. New York State should lead the nation, investing resources and providing a model of equitable and affirming healthcare for all. We call upon Governor Hochul and the New York State Legislature to take the actions below.

ACCESS

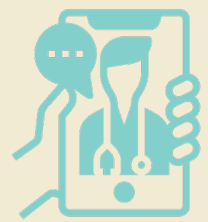
Protect the Healthcare Safety Net

The state's plan to transition the Medicaid pharmacy benefit from Managed Care to Fee-for-Service in April 2023 (the carve out) will eliminate the mechanism that enables safety net providers—like Callen-Lorde—to reinvest savings generated by the federal drug discount program known as 340B. If enacted, the Medicaid pharmacy carve out will upend the healthcare safety net in New York State and leave millions of patients without free or low-cost prescription medications and vital services. At Callen-Lorde, the revenue from 340B fills gaps left by Medicaid and state assistance programs and helps sustain our supportive primary care services necessary to deliver pre-exposure prophylaxis (PrEP). 340B resources support targeted care coordination for TGNB patients, enabling them to navigate complex healthcare systems. Additionally, 340B has been a source of foundational support for our nursing triage staff, COVID-19 and MPV/monkeypox testing, and vaccine administration. **We call on Governor Hochul and the Legislature to enact an alternative compromise to the carve out in the final FY24 budget that will keep the pharmacy benefit in whole person managed care and preserve the 340B mechanism while meeting all the state's policy objectives to lower costs and increase transparency.**



Extend Access and Equity with Virtual Care

For the patients served by Callen-Lorde—who are largely LGBTQ, Black and Indigenous People of Color (BIPOC), and beneficiaries of public insurance—health care delivered virtually (telephonically and/or by video) has been a lifeline, creating and safeguarding critical access throughout the global COVID-19 pandemic and beyond. The FY23 enacted state budget called for partial telehealth payment parity, with no reimbursement payment parity when the provider and patient are off-site. This will negatively impact our behavioral health practice and providing off-site service will become unsustainable. While we are grateful Governor Hochul has prioritized virtual care as a means to extend access and equity, we urge the Administration to provide full **reimbursement parity for all NYS Articles 28, 31, and 32 visits on par with face-to-face services, regardless of whether the telehealth is audio-visual or audio only.** Permanently guaranteeing complete payment parity by commercial and public insurance payers across in-clinic (brick and mortar), telehealth (video and audio), and telephone (audio only) visits is critical to achieving equity and increasing positive health outcomes.



Expand Health Worker Bonus Program

As a federally qualified health center (FQHC) serving thousands of patients regardless of ability to pay, Callen-Lorde shares Governor Hochul's commitment to attracting more healthcare workers to our sector and state. We applaud the Governor for her leadership in establishing and funding a Health Worker Bonus program; however, we remain concerned that many of our essential worker staff roles are still not eligible for the program. Staff roles ranging from health information to communications to patient accounts provided critical support during the peak of the COVID-19 pandemic. **We strongly urge the state to use a broad and flexible interpretation for FQHC-eligible staff and to not penalize FQHCs in future audits for making their best effort to interpret the intent of the Health Worker Bonus Program when determining eligibility.** What these incredible individuals do – on the front lines and behind the scenes – allows us to provide the best possible care to anyone who seeks our services regardless of their ability to pay.



Take Additional Actions to End New York's HIV and AIDS Epidemics in All Communities

New York State has made significant progress in implementing the 2015 [Ending the Epidemic \(EtE\) Blueprint](#) recommendations developed collaboratively by HIV community members, providers, advocates, and New York State and local public health authorities. Our EtE efforts enabled us to “bend the curve” of the epidemic by the end of 2019, decreasing HIV prevalence in NYS for the first time, and recently released 2021 surveillance data show this trend continues. However, the 2021 data also show that stark and unacceptable disparities persist in HIV’s impact on BIPOC communities, transgender New Yorkers, and young men who have sex with men. Further, the COVID-19 pandemic exacerbated barriers to HIV prevention and care, suppressing uptake of PrEP, HIV testing, and connection to care. A New York State Department of Health (NYSDOH) analyses found that people with HIV (PWH) face heightened vulnerability to severe COVID-19 disease and mortality. To address key social determinants of poor HIV health outcomes, Callen-Lorde supports the End AIDS New York Community Coalition’s full FY24 Budget and Policy Platform and its priorities therein, including: **Provide Equal Access to Meaningful HIV Housing Supports** for PWH experiencing homelessness or unstable housing in all parts of NYS; **Expand Peer and Other Employment Opportunities** for PWH by integrating and sustainably funding Certified Peer Workers/Community Health Workers as a core component of effective health and human services systems of care; **Require HIV testing on an Opt-Out Basis** to identify HIV infection and initiate treatment as early as possible for uninsured persons and others with limited access to regular primary care; and **Identify and Meet the Complex Needs of Older People with HIV** who account for more than half of PWH living in NYS and will increase to 73% of all PWH in the state by 2030.



AUTONOMY

Exempt Lifesaving HIV Antiretroviral Drugs from Prior Authorization (Hoylman **S.1001**/Rosenthal **A.1619**)

Utilization tools such as prior authorization and step therapy can restrict access to medically necessary drugs. These barriers are harmful to patient access and can prevent individuals from receiving the medication they need in a timely manner. **We support amending insurance law and Public Health Law to eliminate barriers that could restrict or delay the dispensing of the HIV or AIDS treatment or prevention.**

Enable Youth Access to Health Care We applaud Governor Hochul for very recently signing into law **A.9604/S.8937**, legislation that enables certain runaway and homeless youth in crisis service programs or transitional independent living support programs to consent to their own health care. We need to go further. A patchwork of laws in New York State leaves many young people without access to healthcare. **We need legislation that will permit young people under the age of 18, who are decisionally capable, to consent to their own health care.**

Require Comprehensive Sexual Health Education in New York Public and Charter Schools (Brouk **S.2584**) Many public-school districts across New York provide sex education that is inaccurate, incomplete, or biased—and some schools provide none. **We need legislation that requires public schools to teach medically accurate and inclusive K-12 comprehensive sex education that is age-appropriate and reflects national standards and best practices.** Comprehensive sex education supports young people to make healthy decisions and have healthy relationships and is critical to the well-being and educational outcomes of young people.

Decriminalize Sex Work (Salazar **S.3075**) **It is time to fully decriminalize sex work.** This legislation will amend statutes so that consenting adults who trade sex, collaborate with or support sex-working peers, or patronize adult sex workers, will not be criminalized.

Comply with WPATH SOC8 On September 15, 2022, the World Professional Association for Transgender Health (WPATH) released an updated and revised Standards of Care (SOC) for the Health of Transgender and Gender Diverse People, Version 8. **Callen-Lorde urges Governor Hochul to order a review of all New York State policies regarding gender affirming care to ensure that transgender and gender diverse New Yorkers have access to life-saving medical care and that New York is compliant with current clinical standards.**

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CALLEN-LORDE