

Essential Worker Definition

New York Insurance Circular Letter No. 10 and the associated Insurance Regulation 62 (“Emergency Regulation”), which waived all copayments, coinsurance and deductibles for non-HSA-qualified plans for face-to-face outpatient mental health services provided to essential workers **expired as of May 26, 2021**.

The member cost share for claims with dates of service after this date are now in effect when applicable. This change does not impact cost share waivers for services delivered via telehealth.

This cost share waiver applied to commercial and Essential Plan Members for dates of service between May 2, 2020 and May 26, 2021. Health care providers were required to verify whether their patient was an Essential Worker as defined in the Emergency Regulation:

Individuals who are, or were, during the current state of emergency declared by Governor Cuomo on March 7, 2020, employed as health care workers, first responders, or in any position within a nursing home, long-term care facility, or other congregate care setting, including:

- correction/parole/probation officers;
- direct care providers;
- firefighters;
- health care practitioners, professionals, aides, and support staff (e.g., physicians, nurses, and public health personnel);
- medical specialists;
- nutritionists and dietitians;
- occupational/physical/recreational/speech therapists;
- paramedics/emergency medical technicians;
- police officers;
- psychologists/psychiatrists; and
- residential care program managers; and

Individuals who are, or were, during the current state of emergency declared on March 7, 2020, employed as essential employees who directly interact with the public while working, including:

- animal care workers (e.g., veterinarians);
- automotive service and repair workers;
- bank tellers and other bank workers;
- building code enforcement officers;
- childcare workers;
- client-facing case managers and coordinators;
- counselors (e.g., mental health, addiction, youth, vocational, crisis, etc.);
- delivery workers;
- dentists and dental hygienists;
- essential construction workers at occupied residences or buildings;
- faith-based leaders (e.g., chaplains and clergy members);
- field investigators/regulators for health and safety;
- food service workers;
- funeral home workers;
- hotel/motel workers;
- human services providers;
- laundry and dry-cleaning workers;
- mail and shipping workers;
- maintenance and janitorial/cleaning workers;
- optometrists, opticians, and supporting staff;
- retail workers at essential businesses (e.g., grocery stores, pharmacies, convenience stores, gas stations, hardware stores);
- security guards and personnel;
- shelter workers and homeless support staff;
- social workers;
- teachers/professors/educators;
- transit workers (e.g., airports, railways, buses, and for-hire vehicles);
- trash and recycling workers; and
- utility workers