Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas:

The proposed addition of 12 NYCRR 329-1.4 will apply to all providers performing intraoperative neurophysiological monitoring (IOM). These individuals exist in all rural areas of the state.

2. Reporting, recordkeeping and other compliance requirements:

Compliance with this proposal requires that remote IOM not be performed except in very limited circumstances. No additional reporting or recordkeeping requirements are part of this proposal.

3. Costs:

Because this proposal is making an explicit clarification of a position the Board has already taken, there should be little increased costs associated with the proposal. Additionally, the clarity gained from explicitly prohibiting remote IOM (except in limited circumstances) may reduce disputes over medical bills, and therefore less administrative costs associated with disputing such medical bills.

4. Minimizing adverse impact:

As stated above, the implementation of proposal is expected to curb confusion and make explicitly clear that remote IOM is not permitted except in limited circumstances.

5. Rural area participation:

The proposal will be available for public comment on the Board’s website and in the State Register, and the Board will duly consider all public comments received.