

STATE OF NEW YORK

3696

2017-2018 Regular Sessions

IN ASSEMBLY

January 30, 2017

Introduced by M. of A. GLICK, DINOWITZ, WEINSTEIN, JAFFEE, ROSENTHAL, GOTTFRIED -- Multi-Sponsored by -- M. of A. CYMBROWITZ, GALEF, O'DONNELL, PAULIN -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring that provision be made for pregnancy termination procedures in every individual or group policy or contract which provides coverage or indemnity for hospital, surgical or medical care and which offers maternity care coverage

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 10-a to read as follows:

(10-a) (A) Every policy which provides hospital, surgical or medical coverage and which offers maternity care coverage pursuant to paragraph ten of this subsection shall also provide coverage for pregnancy termination procedures which are performed by a licensed physician, upon the policyholder or upon his spouse or upon a nonspouse who is dependent upon the policyholder, in any licensed hospital or medical facility approved by the state commissioner of health, to the same extent that coverage is provided for illness or disease under the policy, subject to the provisions of this paragraph.

(B) Provision for such coverage shall be subject to any guidelines which are now or hereafter issued by the medical specialty societies recognized by the American Board of Medical Specialties of obstetrics and gynecology, for pregnancy terminations and abortions.

(C) Such coverage shall be provided in a manner which ensures the confidentiality and privacy of the occurrence of the procedures performed to the person for whom coverage is provided.

(D) Such coverage may be subject to annual deductibles and coinsurance as may be deemed appropriate by the superintendent and as are consistent

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 with those established for other benefits within a given policy, but
2 such coverage shall not be subject to the reimbursement period limita-
3 tion or minimum period of coverage limitation applicable to maternity
4 care coverage.

5 (E) Coverage under this paragraph shall not restrict or eliminate
6 existing coverage provided by the policy and nothing in this paragraph
7 shall be construed to deny or restrict in any way any existing right or
8 benefit provided under law or by contract.

9 § 2. Subsection (k) of section 3221 of the insurance law is amended by
10 adding a new paragraph 5-a to read as follows:

11 (5-a) (A) Every group or blanket policy delivered or issued for deliv-
12 ery in this state which provides hospital, surgical or medical coverage
13 and which offers maternity care coverage pursuant to paragraph five of
14 this subsection shall also provide coverage for pregnancy termination
15 procedures which are performed by a licensed physician, upon the policy
16 beneficiary certificate holder or upon his spouse or upon a nonspouse
17 who is dependent upon the policy beneficiary certificate holder, in any
18 licensed hospital or medical facility approved by the state commissioner
19 of health, to the same extent that coverage is provided for illness or
20 disease under the policy, subject to the provisions of this paragraph.

21 (B) Provision for such coverage shall be subject to any guidelines
22 which are now or hereafter issued by the medical specialty societies
23 recognized by the American Board of Medical Specialties of obstetrics
24 and gynecology, for pregnancy terminations and abortions.

25 (C) Such coverage shall be provided in a manner which ensures the
26 confidentiality and privacy of the occurrence of the procedures
27 performed to the person for whom coverage is provided.

28 (D) Such coverage may be subject to annual deductibles and coinsurance
29 as may be deemed appropriate by the superintendent and as are consistent
30 with those established for other benefits within a given policy, but
31 such coverage shall not be subject to the reimbursement period limita-
32 tion or minimum period of coverage limitation applicable to maternity
33 care coverage.

34 (E) Coverage under this paragraph shall not restrict or eliminate
35 existing coverage provided by the policy and nothing in this paragraph
36 shall be construed to deny or restrict in any way any existing right or
37 benefit provided under law or by contract.

38 § 3. Section 4303 of the insurance law is amended by adding a new
39 subsection (c-1) to read as follows:

40 (c-1) (A) Every contract issued by a corporation subject to the
41 provisions of this article which provides hospital service, medical
42 expense indemnity, or both, and which offers maternity care coverage
43 pursuant to subsection (c) of this section shall also provide coverage
44 for pregnancy termination procedures which are performed by a licensed
45 physician, upon the contract beneficiary certificate holder or upon his
46 spouse or upon a nonspouse who is dependent upon the contract benefi-
47 ciary certificate holder, in any licensed hospital or medical facility
48 approved by the state commissioner of health, to the same extent that
49 coverage is provided for illness or disease under the contract, subject
50 to the provisions of this subsection.

51 (B) Provision for such coverage shall be subject to any guidelines
52 which are now or hereafter issued by the medical specialty societies
53 recognized by the American Board of Medical Specialties of obstetrics
54 and gynecology, for pregnancy terminations and abortions.

1 (C) Such coverage shall be provided in a manner which ensures the
2 confidentiality and privacy of the occurrence of the procedures
3 performed to the person for whom coverage is provided.

4 (D) Such coverage may be subject to annual deductibles and coinsurance
5 as may be deemed appropriate by the superintendent and as are consistent
6 with those established for other benefits within a given contract, but
7 such coverage shall not be subject to the reimbursement period limita-
8 tion or minimum period of coverage limitation applicable to maternity
9 care coverage.

10 (E) Coverage under this subsection shall not restrict or eliminate
11 existing coverage provided by the contract and nothing in this
12 subsection shall be construed to deny or restrict in any way any exist-
13 ing right or benefit provided under law or by contract.

14 § 4. This act shall take effect on the first of January next succeed-
15 ing the date on which it shall have become a law and shall only apply to
16 policies and contracts issued, renewed, modified, altered or amended on
17 or after such date.