

STATE OF NEW YORK

7332

2017-2018 Regular Sessions

IN ASSEMBLY

April 24, 2017

Introduced by M. of A. TITONE, STECK, MONTESANO, HOOPER, PERRY, ABINANTI
-- Multi-Sponsored by -- M. of A. McDONOUGH, SIMANOWITZ -- read once
and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring notification
to insured persons that an out-of-network physician may be used in
their procedure, test or surgery

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

Section 1. Section 3216 of the insurance law is amended by adding a
new subsection (n) to read as follows:

(n) (1) Every person insured under a policy of accident and health
insurance delivered or issued for delivery in this state shall be enti-
tled to notification from the billing entity prior to the procedure,
test or surgery, that an out-of-network physician may be used in such
procedure, test or surgery and such physician's services shall not be
covered by their insurance policy.

(2) The patient costs of out-of-network physician services shall be
covered by the insurance policy of an insured person if he or she has
not received notification of such situations, prior to the health
service or procedure, as prescribed in paragraph one of this subsection.

§ 2. Section 3221 of the insurance law is amended by adding a new
subsection (t) to read as follows:

(t) (1) Every person insured under a policy of accident and health
insurance delivered or issued for delivery in this state shall be enti-
tled to notification from the billing entity prior to the procedure,
test or surgery, that an out-of-network physician may be used in such
procedure, test or surgery and such physician's services shall not be
covered by their insurance policy.

(2) The patient costs of out-of-network physician services shall be
covered by the insurance policy of an insured person if he or she has
not received notification of such situations, prior to the health
service or procedure, as prescribed in paragraph one of this subsection.

§ 3. This act shall take effect immediately.

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

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