

STATE OF NEW YORK

6053

2017-2018 Regular Sessions

IN SENATE

May 10, 2017

Introduced by Sen. HANNON -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law and the insurance law, in relation to health care coverage for neonatal intensive care services

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

1 Section 1. Section 4406-c of the public health law is amended by
2 adding a new subdivision 9 to read as follows:

3 9. A health care plan shall not require a prior authorization determi-
4 nation for services provided in a neonatal intensive care unit of a
5 general hospital certified pursuant to article twenty-eight of this
6 chapter. Nothing in this subdivision shall prohibit a health care plan
7 from denying a claim for such services if the services are subsequently
8 determined not medically necessary.

9 § 2. Section 3217-b of the insurance law is amended by adding a new
10 subsection (k) to read as follows:

11 (k) An insurer shall not require a prior authorization determination
12 for services provided in a neonatal intensive care unit of a general
13 hospital certified pursuant to article twenty-eight of the public health
14 law. Nothing in this subsection shall prohibit an insurer from denying a
15 claim for such services if the services are subsequently determined not
16 medically necessary.

17 § 3. Section 4325 of the insurance law is amended by adding a new
18 subsection (l) to read as follows:

19 (l) A corporation organized under this article shall not require a
20 prior authorization determination for services provided in a neonatal
21 intensive care unit of a general hospital certified pursuant to article
22 twenty-eight of the public health law. Nothing in this subsection shall
23 prohibit a corporation organized under this article from denying a claim
24 for such services if the services are subsequently determined not
25 medically necessary.

26 § 4. This act shall take effect on the sixtieth day after it shall
27 have become a law.

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

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