

STATE OF NEW YORK

5727

2019-2020 Regular Sessions

IN ASSEMBLY

February 14, 2019

Introduced by M. of A. ROZIC, ABINANTI, AUBRY, BLAKE, BRONSON, COLTON, COOK, CRESPO, JAFFEE, M. G. MILLER, O'DONNELL, OTIS, SIMON, WEPRIN -- Multi-Sponsored by -- M. of A. ARROYO, BARNWELL, CROUCH, GUNTHER, PERRY, RAIA, RIVERA -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring health insurance policies to fully cover comprehensive genetic testing for breast, ovarian, prostate, colon and lung cancers in certain cases

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

1 Section 1. This act shall be known and may be cited as the "Ana Lucia
2 act".

3 § 2. Paragraph 11 of subsection (i) of section 3216 of the insurance
4 law is amended by adding a new subparagraph (G) to read as follows:

5 (G) (i) Such policy shall provide additional full coverage for compre-
6 hensive genetic testing for breast cancer only if recommended by a
7 board-certified geneticist or a board-certified genetic counselor.

8 (ii) All costs associated with such additional full coverage shall not
9 be subject to annual deductibles and coinsurance but shall be borne
10 solely by the insurer.

11 § 3. Paragraph 11-a of subsection (i) of section 3216 of the insurance
12 law is amended by adding a new subparagraph (C) to read as follows:

13 (C) (i) Such policy shall provide additional full coverage for compre-
14 hensive genetic testing for prostatic cancer only if recommended by a
15 board-certified geneticist or a board-certified genetic counselor.

16 (ii) All costs associated with such additional full coverage shall not
17 be subject to annual deductibles and coinsurance but shall be borne
18 solely by the insurer.

19 § 4. Paragraph 11 of subsection (l) of section 3221 of the insurance
20 law is amended by adding a new subparagraph (G) to read as follows:

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

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1 (G) (i) Such policy shall provide additional full coverage for compre-
2 hensive genetic testing for breast cancer only if recommended by a
3 board-certified geneticist or a board-certified genetic counselor.

4 (ii) All costs associated with such additional full coverage shall not
5 be subject to annual deductibles and coinsurance but shall be borne
6 solely by the insurer.

7 § 5. Paragraph 11-a of subsection (l) of section 3221 of the insurance
8 law is amended by adding a new subparagraph (C) to read as follows:

9 (C)(i) Such policy shall provide additional full coverage for compre-
10 hensive genetic testing for prostatic cancer only if recommended by a
11 board-certified geneticist or a board-certified genetic counselor.

12 (ii) All costs associated with such additional full coverage shall not
13 be subject to annual deductibles and coinsurance but shall be borne
14 solely by the insurer.

15 § 6. Subsection (p) of section 4303 of the insurance law is amended by
16 adding a new paragraph 6 to read as follows:

17 (6) (i) Such coverage shall provide additional full coverage for
18 comprehensive genetic testing for breast cancer only if recommended by a
19 board-certified geneticist or a board-certified genetic counselor.

20 (ii) All costs associated with such additional full coverage shall not
21 be subject to annual deductibles and coinsurance but shall be borne
22 solely by the insurer.

23 § 7. Subsection (z-1) of section 4303 of the insurance law is amended
24 by adding a new paragraph 3 to read as follows:

25 (3)(A) Such policy shall provide additional full coverage for compre-
26 hensive genetic testing for prostatic cancer only if recommended by a
27 board-certified geneticist or a board-certified genetic counselor.

28 (B) All costs associated with such additional full coverage shall not
29 be subject to annual deductibles and coinsurance but shall be borne
30 solely by the insurer.

31 § 8. Subsection (i) of section 3216 of the insurance law is amended by
32 adding three new paragraphs 11-b, 11-c and 11-d to read as follows:

33 (11-b) (A) Every policy that provides coverage for hospital, surgical
34 or medical care shall provide full coverage for genetic screening for
35 ovarian cancer only if recommended by a board-certified geneticist or a
36 board-certified genetic counselor.

37 (B) Such additional coverage shall not be subject to annual deduct-
38 ibles and coinsurance but shall be borne solely by the insurer.

39 (11-c) (A) Every policy that provides coverage for hospital, surgical
40 or medical care shall provide full coverage for genetic screening for
41 colon cancer only if recommended by a board-certified geneticist or a
42 board-certified genetic counselor.

43 (B) All costs associated with such additional full coverage shall not
44 be subject to annual deductibles and coinsurance but shall be borne
45 solely by the insurer.

46 (11-d) (A) Every policy that provides coverage for hospital, surgical
47 or medical care shall provide full coverage for genetic screening for
48 lung cancer only if recommended by a board-certified geneticist or a
49 board-certified genetic counselor.

50 (B) All costs associated with such additional full coverage shall not
51 be subject to annual deductibles and coinsurance but shall be borne
52 solely by the insurer.

53 § 9. Subsection (l) of section 3221 of the insurance law is amended by
54 adding three new paragraphs 11-b, 11-c and 11-d to read as follows:

55 (11-b) (A) Every insurer delivering a group or blanket policy or issu-
56 ing a group or blanket policy for delivery in this state that provides

1 coverage for hospital, surgical or medical care shall provide full
2 coverage or genetic screening for ovarian cancer only if recommended by
3 a board-certified geneticist or a board-certified genetic counselor.

4 (B) Such additional coverage shall not be subject to annual deduct-
5 ibles and coinsurance but shall be borne solely by the insurer.

6 (11-c) (A) Every policy that provides coverage for hospital, surgical
7 or medical care shall provide full coverage for genetic screening for
8 colon cancer only if recommended by a board-certified geneticist or a
9 board-certified genetic counselor.

10 (B) All costs associated with such additional full coverage shall not
11 be subject to annual deductibles and coinsurance but shall be borne
12 solely by the insurer.

13 (11-d) (A) Every policy that provides coverage for hospital, surgical
14 or medical care shall provide full coverage for genetic screening for
15 lung cancer only if recommended by a board-certified geneticist or a
16 board-certified genetic counselor.

17 (B) All costs associated with such additional full coverage shall not
18 be subject to annual deductibles and coinsurance but shall be borne
19 solely by the insurer.

20 § 10. Section 4303 of the insurance law is amended by adding three new
21 subsections (p-1), (p-2) and (p-3) to read as follows:

22 (p-1) (1) A medical expense indemnity corporation, a hospital service
23 corporation or a health service corporation that provides coverage for
24 hospital, surgical or medical care shall provide full coverage for
25 genetic screening for ovarian cancer only if recommended by a board-cer-
26 tified geneticist or a board-certified genetic counselor.

27 (2) Such additional coverage shall not be subject to annual deduct-
28 ibles and coinsurance but shall be borne solely by the insurer.

29 (p-2) (1) A medical expense indemnity corporation, a hospital service
30 corporation or a health service corporation that provides coverage for
31 hospital, surgical or medical care shall provide full coverage for
32 genetic screening for colon cancer only if recommended by a board-certi-
33 fied geneticist or a board-certified genetic counselor.

34 (2) All costs associated with such additional full coverage shall not
35 be subject to annual deductibles and coinsurance but shall be borne
36 solely by the insurer.

37 (p-3) (1) A medical expense indemnity corporation, a hospital service
38 corporation or a health service corporation that provides coverage for
39 hospital, surgical or medical care shall provide full coverage for
40 genetic screening for lung cancer only if recommended by a board-certi-
41 fied geneticist or a board-certified genetic counselor.

42 (2) All costs associated with such additional full coverage shall not
43 be subject to annual deductibles and coinsurance but shall be borne
44 solely by the insurer.

45 § 11. This act shall take effect on the sixtieth day after it shall
46 have become a law.