

STATE OF NEW YORK

4768

2019-2020 Regular Sessions

IN SENATE

March 25, 2019

Introduced by Sens. PERSAUD, KRUEGER -- read twice and ordered printed,
and when printed to be committed 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 Assem-
bly, 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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) Such additional coverage shall not be subject to annual deductibles and coinsurance but shall be borne solely by the insurer.

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

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

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

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

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

(11-b) (A) Every insurer delivering a group or blanket policy or issuing a group or blanket policy for delivery in this state that provides coverage for hospital, surgical or medical care shall provide full coverage or genetic screening for ovarian cancer only if recommended by a board-certified geneticist or a board-certified genetic counselor.

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

3 (11-c) (A) Every policy that provides coverage for hospital, surgical
4 or medical care shall provide full coverage for genetic screening for
5 colon cancer only if recommended by a board-certified geneticist or a
6 board-certified genetic counselor.

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

10 (11-d) (A) Every policy that provides coverage for hospital, surgical
11 or medical care shall provide full coverage for genetic screening for
12 lung cancer only if recommended by a board-certified geneticist or a
13 board-certified genetic counselor.

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

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

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

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

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

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

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

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

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