

# STATE OF NEW YORK

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2085--A

2021-2022 Regular Sessions

## IN ASSEMBLY

January 14, 2021

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Introduced by M. of A. DINOWITZ, GALEF, CUSICK, CYMBROWITZ, ZEBROWSKI, ENGLEBRIGHT, ROZIC -- Multi-Sponsored by -- M. of A. BARNWELL, CAHILL, COLTON, COOK, GLICK, GOTTFRIED -- read once and referred to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to providing insurance coverage for colorectal cancer early detection

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

1 Section 1. Paragraph 27 of subsection (i) of section 3216 of the  
2 insurance law, as added by chapter 457 of the laws of 2010, is renu-  
3 bered paragraph 36, paragraph 28 of subsection (i) of section 3216 of  
4 the insurance law, as amended by chapter 11 of the laws of 2012, is  
5 renumbered paragraph 37, paragraph 34 of subsection (i) of section 3216  
6 of the insurance law, as added by section 10 of part MM of chapter 57 of  
7 the laws of 2018, is renumbered paragraph 38 and a new paragraph 11-b is  
8 added to read as follows:

9 (11-b) (A) Every policy delivered or issued for delivery in this state  
10 which provides medical coverage that includes coverage for physician  
11 services in a physician's office and every policy which provides major  
12 medical or similar comprehensive-type coverage shall provide, upon the  
13 prescription of a health care provider legally authorized to prescribe  
14 under title eight of the education law, coverage for colorectal cancer  
15 screening. The coverage required by this paragraph shall include preven-  
16 tive colorectal cancer screening coverage for all colorectal cancer  
17 examinations and laboratory tests in accordance with American Cancer  
18 Society Guidelines for colorectal cancer screening of average risk indi-  
19 viduals, including an initial colonoscopy or other medical test or  
20 procedure for colorectal cancer screening and a follow-up colonoscopy  
21 performed as a result of a positive result on a non-colonoscopy preven-  
22 tive screening test.

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

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1 (B) An individual shall not be subject to a deductible, coinsurance,  
2 or any other cost-sharing requirements for services consistent with  
3 subparagraph (A) of this paragraph received from participating provid-  
4 ers.

5 § 2. Subsection (1) of section 3221 of the insurance law is amended by  
6 adding a new paragraph 11-b to read as follows:

7 (11-b) (A) Every policy delivered or issued for delivery in this state  
8 which provides medical coverage that includes coverage for physician  
9 services in a physician's office and every policy which provides major  
10 medical or similar comprehensive-type coverage shall provide, upon the  
11 prescription of a health care provider legally authorized to prescribe  
12 under title eight of the education law, coverage for colorectal cancer  
13 screening. The coverage required by this paragraph shall include  
14 preventive colorectal cancer screening coverage for all colorectal  
15 cancer examinations and laboratory tests in accordance with American  
16 Cancer Society Guidelines for colorectal cancer screening of average  
17 risk individuals, including an initial colonoscopy or other medical test  
18 or procedure for colorectal cancer screening and a follow-up colonoscopy  
19 performed as a result of a positive result on a non-colonoscopy preven-  
20 tive screening test.

21 (B) An individual shall not be subject to a deductible, coinsurance,  
22 or any other cost-sharing requirements for services consistent with  
23 subparagraph (A) of this paragraph received from participating provid-  
24 ers.

25 § 3. The superintendent of financial services shall require an insur-  
26 er, health carrier or health benefit plan to notify enrollees annually  
27 of colorectal cancer screenings covered by such enrollees' health bene-  
28 fit plan and the most recently published guidelines of the American  
29 College of Gastroenterology or the American Gastroenterological Associ-  
30 ation in consultation with the American Cancer Society for colorectal  
31 cancer screenings or notify enrollees at intervals consistent with the  
32 most recently published guidelines of the American College of Gastroen-  
33 terology or the American Gastroenterological Association in consultation  
34 with the American Cancer Society of colorectal cancer screenings which  
35 are covered by such enrollees' health benefit plans. The notice shall  
36 be delivered by mail unless the enrollee and health carrier have agreed  
37 on another method of notification. The superintendent of financial  
38 services is authorized to promulgate necessary rules and regulations for  
39 the purposes of providing such notification.

40 § 4. This act shall take effect immediately and shall apply to any  
41 policy issued, delivered, renewed, and/or modified on or after the  
42 effective date of this act.