

STATE OF NEW YORK

105

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. PERSAUD -- 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 ovarian and prostate 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-a of subsection (i) of section 3216 of the insurance
4 law is amended by adding a new subparagraph (C) to read as follows:

5 (C) (i) Such policy shall provide additional full coverage for compre-
6 hensive genetic testing for prostatic cancer only if recommended by a
7 doctor, a board-certified geneticist or a board-certified genetic coun-
8 selor.

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

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

14 (C)(i) Such policy shall provide additional full coverage for compre-
15 hensive genetic testing for prostatic cancer only if recommended by a
16 doctor, a board-certified geneticist or a board-certified genetic coun-
17 selor.

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

21 § 4. Subsection (z-1) of section 4303 of the insurance law is amended
22 by adding a new paragraph 3 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 (3)(A) Such policy shall provide additional full coverage for compre-
2 hensive genetic testing for prostatic cancer only if recommended by a
3 doctor, a board-certified geneticist or a board-certified genetic coun-
4 selor.

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

8 § 5. Subsection (i) of section 3216 of the insurance law is amended by
9 adding a new paragraph 11-b to read as follows:

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

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

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

18 (11-b) (A) Every insurer delivering a group or blanket policy or issu-
19 ing a group or blanket policy for delivery in this state that provides
20 coverage for hospital, surgical or medical care shall provide full
21 coverage or genetic screening for ovarian cancer only if recommended by
22 a doctor, a board-certified geneticist or a board-certified genetic
23 counselor.

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

26 § 7. Section 4303 of the insurance law is amended by adding a new
27 subsection (p-1) to read as follows:

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

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

35 § 8. This act shall take effect on the sixtieth day after it shall
36 have become a law.