

STATE OF NEW YORK

3942

2021-2022 Regular Sessions

IN SENATE

February 1, 2021

Introduced by Sen. KENNEDY -- 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 insurance coverage of comprehensive annual medical examinations for firefighters

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

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 36 to read as follows:

(36)(A) Every policy which provides medical, major medical, or similar comprehensive-type coverage shall provide coverage for comprehensive annual medical exams for insured individuals who are firefighters. Such comprehensive annual medical exam coverage shall include:

(i) a detailed symptom health history including headaches, skin rashes, intestinal or respiratory symptoms, weakness, and cognitive dysfunction;

(ii) an in person physical exam including cardiovascular, skin, thyroid, mouth, pulmonary, intestinal, urinary, lymph node, neurological, musculoskeletal, breast and testes, as applicable, examination;

(iii) vital signs and body measures tested and recorded including blood pressure, oxygen saturation, heart and respiratory rate, weight, height and body fat percentage;

(iv) laboratory assessments including:

a. comprehensive metabolic panel, complete blood count with differential, lipid panel, thyroid stimulating hormone, high-sensitivity c-reactive protein, and hemoglobin A1c blood tests; and

b. urinalysis for pH, glucose, ketones, protein, blood and bilirubin, and microscopic assessment for white blood cells, red blood cells, white blood cell casts, red blood cell casts, and crystals;

(v) spirometry;

(vi) cancer screening, including, digital rectal exam for individuals with prostate-specific antigen, cervical exam with Pap test, breast exam, respirator fit test, colonoscopies beginning at forty-five years of age or earlier depending on family history, mammograms beginning at age forty or earlier depending on family history, and low dose computed

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

LBD08088-01-1

1 tomography depending on age, smoking history, forced expiratory volume
2 (FEV1), family history of lung cancer, obstructive lung disease and
3 history of pneumonia; and

4 (vii) a stress electrocardiogram with maximal oxygen uptake calcu-
5 lated.

6 (B) Notwithstanding the requirements for comprehensive annual medical
7 exam coverage pursuant to subparagraph (A) of this paragraph, such
8 coverage shall additionally include a chest x-ray every five years and
9 any additional testing determined necessary by the commissioner of
10 health.

11 (C) An insured shall identify his or her profession as a firefighter
12 and years of service to his or her primary care physician to receive
13 such comprehensive annual medical examination pursuant to this para-
14 graph.

15 (D) As used in this paragraph the term "firefighter" means (i) any
16 firefighter regularly employed by a fire department of any municipality
17 in the state and (ii) any volunteer firefighter as defined in subdivi-
18 sion one of section three of the volunteer firefighters' benefit law.

19 § 2. Subsection (1) of section 3221 of the insurance law is amended by
20 adding a new paragraph 21 to read as follows:

21 (21)(A) Every policy which provides medical, major medical, or similar
22 comprehensive-type coverage shall provide coverage for comprehensive
23 annual medical exams for insured individuals who are firefighters. Such
24 comprehensive annual medical exam coverage shall include:

25 (i) a detailed symptom health history including headaches, skin rash-
26 es, intestinal or respiratory symptoms, weakness, and cognitive dysfunc-
27 tion;

28 (ii) an in person physical exam including cardiovascular, skin,
29 thyroid, mouth, pulmonary, intestinal, urinary, lymph node, neurologi-
30 cal, musculoskeletal, breast and testes, as applicable, examination;

31 (iii) vital signs and body measures tested and recorded including
32 blood pressure, oxygen saturation, heart and respiratory rate, weight,
33 height and body fat percentage;

34 (iv) laboratory assessments including:

35 a. comprehensive metabolic panel, complete blood count with differen-
36 tial, lipid panel, thyroid stimulating hormone, high-sensitivity c-reac-
37 tive protein, and hemoglobin A1c blood tests; and

38 b. urinalysis for pH, glucose, ketones, protein, blood and bilirubin,
39 and microscopic assessment for white blood cells, red blood cells, white
40 blood cell casts, red blood cell casts, and crystals;

41 (v) spirometry;

42 (vi) cancer screening, including, digital rectal exam for individuals
43 with prostate-specific antigen, cervical exam with Pap test, breast
44 exam, respirator fit test, colonoscopies beginning at forty-five years
45 of age or earlier depending on family history, mammograms beginning at
46 age forty or earlier depending on family history, and low dose computed
47 tomography depending on age, smoking history, forced expiratory volume
48 (FEV1), family history of lung cancer, obstructive lung disease and
49 history of pneumonia; and

50 (vii) a stress electrocardiogram with maximal oxygen uptake calcu-
51 lated.

52 (B) Notwithstanding the requirements for comprehensive annual medical
53 exam coverage pursuant to subparagraph (A) of this paragraph, such
54 coverage shall additionally include a chest x-ray every five years and
55 any additional testing determined necessary by the commissioner of
56 health.

1 (C) An insured shall identify his or her profession as a firefighter
2 and years of service to his or her primary care physician to receive
3 such comprehensive annual medical examination pursuant to this para-
4 graph.

5 (D) As used in this paragraph the term "firefighter" means (i) any
6 firefighter regularly employed by a fire department of any municipality
7 in the state and (ii) any volunteer firefighter as defined in subdivi-
8 sion one of section three of the volunteer firefighters' benefit law.

9 § 3. Section 4303 of the insurance law is amended by adding a new
10 subsection (1-2) to read as follows:

11 (1-2)(A) Every contract which provides medical, major medical, or
12 similar comprehensive-type coverage shall provide coverage for compre-
13 hensive annual medical exams for insured individuals who are firefight-
14 ers. Such comprehensive annual medical exam coverage shall include:

15 (i) a detailed symptom health history including headaches, skin rash-
16 es, intestinal or respiratory symptoms, weakness, and cognitive dysfunc-
17 tion;

18 (ii) an in person physical exam including cardiovascular, skin,
19 thyroid, mouth, pulmonary, intestinal, urinary, lymph node, neurologi-
20 cal, musculoskeletal, breast and testes, as applicable, examination;

21 (iii) vital signs and body measures tested and recorded including
22 blood pressure, oxygen saturation, heart and respiratory rate, weight,
23 height and body fat percentage;

24 (iv) laboratory assessments including:

25 a. comprehensive metabolic panel, complete blood count with differen-
26 tial, lipid panel, thyroid stimulating hormone, high-sensitivity c-reac-
27 tive protein, and hemoglobin A1c blood tests; and

28 b. urinalysis for pH, glucose, ketones, protein, blood and bilirubin,
29 and microscopic assessment for white blood cells, red blood cells, white
30 blood cell casts, red blood cell casts, and crystals;

31 (v) spirometry;

32 (vi) cancer screening, including, digital rectal exam for individuals
33 with prostate-specific antigen, cervical exam with Pap test, breast
34 exam, respirator fit test, colonoscopies beginning at forty-five years
35 of age or earlier depending on family history, mammograms beginning at
36 age forty or earlier depending on family history, and low dose computed
37 tomography depending on age, smoking history, forced expiratory volume
38 (FEV1), family history of lung cancer, obstructive lung disease and
39 history of pneumonia; and

40 (vii) a stress electrocardiogram with maximal oxygen uptake calcu-
41 lated.

42 (B) Notwithstanding the requirements for comprehensive annual medical
43 exam coverage pursuant to paragraph (A) of this subsection, such cover-
44 age shall additionally include a chest x-ray every five years and any
45 additional testing determined necessary by the commissioner of health.

46 (C) An insured shall identify his or her profession as a firefighter
47 and years of service to his or her primary care physician to receive
48 such comprehensive annual medical examination pursuant to this
49 subsection.

50 (D) As used in this subsection the term "firefighter" means (i) any
51 firefighter regularly employed by a fire department of any municipality
52 in the state and (ii) any volunteer firefighter as defined in subdivi-
53 sion one of section three of the volunteer firefighters' benefit law.

54 § 4. This act shall take effect immediately and shall apply to poli-
55 cies and contracts issued, renewed, modified, altered or amended on and
56 after such date.