

# STATE OF NEW YORK

3942--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

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1 of age or earlier depending on family history, mammograms beginning at  
2 age forty or earlier depending on family history, and low dose computed  
3 tomography depending on age, smoking history, forced expiratory volume  
4 (FEV1), family history of lung cancer, obstructive lung disease and  
5 history of pneumonia; and

6 (vii) a stress electrocardiogram with maximal oxygen uptake calcu-  
7 lated.

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

13 (C) An insured shall identify his or her profession as a firefighter  
14 and years of service to his or her primary care provider to receive such  
15 comprehensive annual medical examination pursuant to this paragraph.

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

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

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

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

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

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

35 (iv) laboratory assessments including:

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

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

42 (v) spirometry;

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

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

53 (B) Notwithstanding the requirements for comprehensive annual medical  
54 exam coverage pursuant to subparagraph (A) of this paragraph, such  
55 coverage shall additionally include a chest x-ray every five years and

1 any additional testing determined necessary by the commissioner of  
2 health.

3 (C) An insured shall identify his or her profession as a firefighter  
4 and years of service to his or her primary care provider to receive such  
5 comprehensive annual medical examination pursuant to this paragraph.

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

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

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

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

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

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

25 (iv) laboratory assessments including:

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

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

32 (v) spirometry;

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

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

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

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