

STATE OF NEW YORK

3980

2023-2024 Regular Sessions

IN ASSEMBLY

February 8, 2023

Introduced by M. of A. JACKSON -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring insurance coverage for lactation consultant services

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

1 Section 1. Subsection (i) of section 3216 of the insurance law is
2 amended by adding a new paragraph 39 to read as follows:

3 (39) Every policy that provides coverage for hospital, surgical or
4 medical care shall provide outpatient coverage for lactation consultant
5 services. Coverage provided under this paragraph may be subject to
6 annual deductibles and co-insurance as deemed appropriate by the super-
7 intendent and that are consistent with those imposed on other benefits
8 within a given policy. For the purposes of this paragraph, "lactation
9 consultant" shall mean a professionally certified counselor who evalu-
10 ates and manages lactation and infant feeding problems and provides
11 preventive clinical consulting to prevent or minimize the occurrence of
12 potential problems.

13 § 2. Subsection (k) of section 3221 of the insurance law is amended by
14 adding a new paragraph 23 to read as follows:

15 (23) Every group or blanket policy delivered or issued for delivery in
16 this state that provides coverage for hospital, surgical or medical care
17 shall provide such coverage for lactation consultant services. For the
18 purposes of this paragraph, "lactation consultant" shall mean a profes-
19 sionally certified counselor who evaluates and manages lactation and
20 infant feeding problems and provides preventive clinical consulting to
21 prevent or minimize the occurrence of potential problems.

22 § 3. Section 4303 of the insurance law is amended by adding a new
23 subsection (uu) to read as follows:

24 (uu) A medical expense indemnity corporation, a hospital service
25 corporation or a health service corporation that provides coverage for

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

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1 hospital, surgical or medical care shall provide such coverage for
2 lactation consultant services. For the purposes of this subsection,
3 "lactation consultant" shall mean a professionally certified counselor
4 who evaluates and manages lactation and infant feeding problems and
5 provides preventive clinical consulting to prevent or minimize the
6 occurrence of potential problems.

7 § 4. This act shall take effect on the first of January next succeed-
8 ing the date on which it shall have become a law and shall apply to all
9 insurance policies, contracts and plans issued, renewed, modified,
10 altered or amended on or after such effective date.