

STATE OF NEW YORK

9185

IN SENATE

May 2, 2024

Introduced by Sen. COONEY -- 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 for in vitro fertilization

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

1 Section 1. Item (viii) of subparagraph (C) of paragraph 6 of
2 subsection (k) of section 3221 of the insurance law, as amended by
3 section 1 of part L of chapter 57 of the laws of 2019, is amended to
4 read as follows:

5 (viii) No insurer providing coverage under this paragraph shall
6 discriminate based on an insured's expected length of life, present of
7 predicted disability, degree of medical dependency, perceived quality of
8 life, or other health conditions, nor based on personal characteristics,
9 including age, sex, sexual orientation, marital status or gender identity.
10 No insurer providing coverage under this paragraph shall require the
11 transfer of all embryos from a prior cycle as a prerequisite for cover-
12 age of a subsequent cycle for a female thirty-five years of age or
13 older.

14 § 2. Subparagraph (H) of paragraph 3 of subsection (s) of section 4303
15 of the insurance law, as amended by section 2 of part L of chapter 57 of
16 the laws of 2019, is amended to read as follows:

17 (H) No corporation providing coverage under this subsection shall
18 discriminate based on an insured's expected length of life, present or
19 predicted disability, degree of medical dependency, perceived quality of
20 life, or other health conditions, nor based on personal characteristics,
21 including age, sex, sexual orientation, marital status or gender identity.
22 No corporation providing coverage under this subsection shall
23 require the transfer of all embryos from a prior cycle as a prerequisite
24 for coverage of a subsequent cycle for a female thirty-five years of age
25 or older.

26 § 3. This act shall take effect immediately.

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

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