

STATE OF NEW YORK

4677--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

Introduced by M. of A. JACKSON -- read once and referred 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 requiring insurance coverage for lactation support services

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

1 Section 1. Paragraph 10 of subsection (i) of section 3216 of the
2 insurance law is amended by adding a new subparagraph (C) to read as
3 follows:

4 (C) (i) Coverage provided under this subparagraph shall include outpa-
5 tient coverage for comprehensive lactation support services, including
6 services provided by a lactation consultant. Such coverage may be
7 subject to annual deductibles, coinsurance, and copayments as may be
8 deemed appropriate by the superintendent and as are consistent with
9 those established for other benefits within a given policy, unless
10 comprehensive lactation support services has in effect a rating of 'A'
11 or 'B' in the current recommendations of the United States preventive
12 services task force or as provided for in comprehensive guidelines
13 supported by the health resources and services administration.

14 (ii) Nothing in this subparagraph shall be construed to prevent the
15 medical management or utilization review of the services or prevent a
16 policy from requiring that services be provided through a network of
17 participating providers.

18 (iii) For purposes of this subparagraph, "lactation consultant" means
19 a health care professional licensed under title eight of the education
20 law who holds the international board certified lactation consultant
21 (IBCLC) credential and is in good standing with the international board
22 of lactation consultant examiners, who evaluates and manages lactation
23 and infant feeding problems and provides preventive clinical consulting
24 to prevent or minimize the occurrence of potential problems.

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

LBD03999-03-5

1 § 2. Paragraph 5 of subsection (k) of section 3221 of the insurance
2 law is amended by adding a new subparagraph (C) to read as follows:

3 (C) (i) Coverage provided under this subparagraph shall include outpa-
4 tient coverage for comprehensive lactation support services, including
5 services provided by a lactation consultant. Such coverage may be
6 subject to annual deductibles, coinsurance, and copayments as may be
7 deemed appropriate by the superintendent and as are consistent with
8 those established for other benefits within a given policy, unless
9 comprehensive lactation support services has in effect a rating of 'A'
10 or 'B' in the current recommendations of the United States preventive
11 services task force or as provided for in comprehensive guidelines
12 supported by the health resources and services administration.

13 (ii) Nothing in this subparagraph shall be construed to prevent the
14 medical management or utilization review of the services or prevent a
15 policy from requiring that services be provided through a network of
16 participating providers.

17 (iii) For purposes of this subparagraph, "lactation consultant" means
18 a health care professional licensed under title eight of the education
19 law who holds the international board certified lactation consultant
20 (IBCLC) credential and is in good standing with the international board
21 of lactation consultant examiners, who evaluates and manages lactation
22 and infant feeding problems and provides preventive clinical consulting
23 to prevent or minimize the occurrence of potential problems.

24 § 3. Subsection (c) of section 4303 of the insurance law is amended by
25 adding a new paragraph 3 to read as follows:

26 (3) (A) Coverage provided under this paragraph shall include outpa-
27 tient coverage for comprehensive lactation support services, including
28 services provided by a lactation consultant. Such coverage may be
29 subject to annual deductibles, coinsurance, and copayments as may be
30 deemed appropriate by the superintendent and as are consistent with
31 those established for other benefits within a given policy, unless
32 comprehensive lactation support services has in effect a rating of 'A'
33 or 'B' in the current recommendations of the United States preventive
34 services task force or as provided for in comprehensive guidelines
35 supported by the health resources and services administration.

36 (B) Nothing in this paragraph shall be construed to prevent the
37 medical management or utilization review of the services or prevent a
38 contract from requiring that services be provided through a network of
39 participating providers.

40 (C) For purposes of this paragraph, "lactation consultant" means a
41 health care professional licensed under title eight of the education law
42 who holds the international board certified lactation consultant (IBCLC)
43 credential and is in good standing with the international board of
44 lactation consultant examiners, who evaluates and manages lactation and
45 infant feeding problems and provides preventive clinical consulting to
46 prevent or minimize the occurrence of potential problems.

47 § 4. This act shall take effect on January 1, 2027 and shall apply to
48 any policy or contract issued, renewed, modified, altered or amended on
49 or after such effective date.