

STATE OF NEW YORK

7906--A

Cal. No. 164

2025-2026 Regular Sessions

IN ASSEMBLY

April 11, 2025

Introduced by M. of A. HUNTER, CLARK, PALMESANO, ROZIC, PEOPLES-STOKES -- read once and referred to the Committee on Insurance -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the insurance law and the public health law, in relation to clarifying the provision of donate life registration to certain insured persons

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

Section 1. Paragraph 17 of subsection (a) of section 3221 of the insurance law, as amended by chapter 29 of the laws of 2023, is amended to read as follows:

(17) [~~Space shall be provided~~] Every policy delivered or issued for delivery in this state which provides major medical or similar comprehensive-type coverage shall provide space on any enrollment, renewal or initial online portal process setup forms required of an insured or applicant for insurance so that the insured or applicant for insurance shall register or decline registration in the donate life registry for organ, eye and tissue donations under this section of the enrollment, renewal or initial online portal process setup forms and that the following is stated on the form in clear and conspicuous type:

"You must fill out the following section: Would you like to be added to the Donate Life Registry? Check box for 'yes' or 'skip this question'."

§ 2. Paragraph 15 of subsection (c) of section 3216 of the insurance law, as added by chapter 29 of the laws of 2023, is amended to read as follows:

(15) [~~Space shall be provided~~] Every policy delivered or issued for delivery in this state which provides major medical or similar comprehensive-type coverage shall provide space on any enrollment, renewal or initial online portal process setup forms required of an insured or

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

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1 applicant for insurance, except forms issued by the NY State of Health,
2 the official Health Plan Marketplace, other than those specifically
3 referenced in subparagraph (iv) of paragraph (a) of subdivision five of
4 section ~~[four thousand three]~~ forty-three hundred ten and paragraph (v)
5 of subdivision one of section two hundred six of the public health law,
6 required of an insured or applicant for insurance so that the insured or
7 applicant shall register or decline registration in the donate life
8 registry for organ, eye and tissue donations under this section of the
9 enrollment or renewal form and that the following is stated on the form
10 in clear and conspicuous type:

11 "You must fill out the following section: Would you like to be added
12 to the Donate Life Registry? Check box for 'yes' or 'skip this ques-
13 tion'."

14 § 3. Subsection (o) of section 4306 of the insurance law, as amended
15 by chapter 29 of the laws of 2023, is amended to read as follows:

16 (o) ~~[Space shall be provided]~~ Every contract delivered or issued for
17 delivery in this state which provides major medical or similar compre-
18 hensive-type coverage shall provide space on any enrollment, renewal or
19 initial online portal process setup forms required of a subscriber or
20 applicant for coverage, except forms issued by the NY State of Health,
21 the official Health Plan Marketplace, other than those specifically
22 referenced in subparagraph (iv) of paragraph (a) of subdivision five of
23 section ~~[forty-three]~~ forty-three hundred ten and paragraph (v) of
24 subdivision one of section two hundred six of the public health law, so
25 that the subscriber or applicant for coverage shall register or decline
26 registration in the donate life registry for organ, eye and tissue
27 donations under this section of the enrollment, renewal or initial
28 online portal process setup forms and that the following is stated on
29 the form in clear and conspicuous type:

30 "You must fill out the following section: Would you like to be added
31 to the Donate Life Registry? Check box for 'yes' or 'skip this ques-
32 tion'."

33 § 4. Subdivision 8 of section 4408 of the public health law, as
34 amended by chapter 29 of the laws of 2023, is amended to read as
35 follows:

36 8. ~~[Space shall be provided]~~ Every contract delivered or issued for
37 delivery in this state which provides major medical or similar compre-
38 hensive-type coverage shall provide space on any enrollment, renewal or
39 initial online portal process setup forms required of a subscriber or
40 applicant for coverage, excepting forms issued by the NY State of
41 Health, the official Health Plan Marketplace, other than those specif-
42 ically referenced in subparagraph (iv) of paragraph (a) of subdivision
43 five of section forty-three hundred ten and paragraph (v) of subdivision
44 one of section two hundred six of this chapter, so that the subscriber
45 or applicant for coverage shall register or decline registration in the
46 donate life registry for organ, eye and tissue donations under this
47 section of the enrollment or renewal form and that the following is
48 stated on the form in clear and conspicuous type:

49 "You must fill out the following section: Would you like to be added
50 to the Donate Life Registry? Check box for 'yes' or 'skip this ques-
51 tion'."

52 § 5. This act shall take effect on the same date and in the same
53 manner as chapter 758 of the laws of 2022, as amended by chapter 159 of
54 the laws of 2024, takes effect.