

STATE OF NEW YORK

8969

IN SENATE

January 21, 2026

Introduced by Sen. BAILEY -- 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 requiring health insurers to provide coverage for speech therapy for stuttering

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 42 to read as follows:

3 (42)(A) Every policy which provides medical, major medical, or similar
4 comprehensive-type coverage shall, upon the referral of a physician,
5 provide coverage for all costs for speech therapy for stuttering. Such
6 speech therapy shall include, but not be limited to, habilitative speech
7 therapy treatment and rehabilitative speech therapy treatment for stut-
8 tering, provided such treatment is performed by a health care profes-
9 sional licensed pursuant to title eight of the education law. No insur-
10 er shall impose upon any person receiving benefits pursuant to this
11 paragraph any durational benefit limitation or maximum for benefits,
12 services, or visits provided under this paragraph.

13 (B) Nothing in this paragraph 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 (C) Coverage may be denied on the basis that such treatment is being
18 provided to the insured pursuant to an individualized family service
19 plan under section twenty-five hundred forty-five of the public health
20 law or an individualized education plan under article eighty-nine of the
21 education law. The provision of services pursuant to an individualized
22 family service plan under section twenty-five hundred forty-five of the
23 public health law or an individualized education plan under article
24 eighty-nine of the education law shall not affect coverage under the
25 policy for services provided on a supplemental basis outside of an
26 educational setting if such services are provided upon the referral of a
27 physician.

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

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1 § 2. Subsection (k) of section 3221 of the insurance law is amended by
2 adding a new paragraph 24 to read as follows:

3 (24) (A) Every group or blanket policy delivered or issued for deliv-
4 ery in this state which provides medical, major medical, or similar
5 comprehensive-type coverage shall, upon the referral of a physician,
6 provide coverage for all costs for speech therapy for stuttering. Such
7 speech therapy shall include, but not be limited to, habilitative speech
8 therapy treatment and rehabilitative speech therapy treatment for stut-
9 tering, provided such treatment is performed by a health care profes-
10 sional licensed pursuant to title eight of the education law. No insur-
11 er shall impose upon any person receiving benefits pursuant to this
12 paragraph any durational benefit limitation or maximum for benefits,
13 services, or visits provided under this paragraph.

14 (B) Nothing in this paragraph 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 (C) Coverage may be denied on the basis that such treatment is being
19 provided to the insured pursuant to an individualized family service
20 plan under section twenty-five hundred forty-five of the public health
21 law or an individualized education plan under article eighty-nine of the
22 education law. The provision of services pursuant to an individualized
23 family service plan under section twenty-five hundred forty-five of the
24 public health law or an individualized education plan under article
25 eighty-nine of the education law shall not affect coverage under the
26 policy for services provided on a supplemental basis outside of an
27 educational setting if such services are provided upon the referral of a
28 physician.

29 § 3. Section 4303 of the insurance law is amended by adding a new
30 subsection (xx) to read as follows:

31 (xx) (A) Every medical expense indemnity corporation, hospital service
32 corporation and health service corporation which provides medical, major
33 medical, or similar comprehensive-type coverage shall, upon referral of
34 a physician, provide coverage for all costs for speech therapy for stut-
35 tering. Such speech therapy shall include, but not be limited to, habi-
36 litative speech therapy treatment and rehabilitative speech therapy
37 treatment for stuttering, provided such treatment is performed by a
38 health care professional licensed pursuant to title eight of the educa-
39 tion law. No corporation shall impose upon any person receiving bene-
40 fits pursuant to this subsection any durational benefit limitation or
41 maximum for benefits, services, or visits provided under this
42 subsection.

43 (B) Nothing in this subsection shall be construed to prevent the
44 medical management or utilization review of the services or prevent a
45 policy from requiring that services be provided through a network of
46 participating providers.

47 (C) Coverage may be denied on the basis that such treatment is being
48 provided to the insured pursuant to an individualized family service
49 plan under section twenty-five hundred forty-five of the public health
50 law or an individualized education plan under article eighty-nine of the
51 education law. The provision of services pursuant to an individualized
52 family service plan under section twenty-five hundred forty-five of the
53 public health law or an individualized education plan under article
54 eighty-nine of the education law shall not affect coverage under the
55 policy for services provided on a supplemental basis outside of an

1 educational setting if such services are provided upon the referral of a
2 physician.

3 § 4. This act shall take effect on the first of January next succeed-
4 ing the date on which it shall have become a law and shall apply to
5 policies and contracts issued, renewed, modified, altered or amended on
6 or after such effective date. Effective immediately, the addition,
7 amendment and/or repeal of any rule or regulation necessary for the
8 implementation of this act on its effective date are authorized to be
9 made and completed on or before such effective date.