S T A T E O F N E W Y O R K

10107

I N A S S E M B L Y

March 4, 2010

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

AN ACT to amend the insurance law, in relation to ambulance subscription or membership programs

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The insurance law is amended by adding a new section 1124 to read as follows:

S 1124. AMBULANCE SUBSCRIPTION OR MEMBERSHIP PROGRAMS; EXEMPTION. AN AMBULANCE SUBSCRIPTION OR MEMBERSHIP PROGRAM, WHICH PROVIDES THAT FOR PAYMENT OF A SET FEE THAT NO CHARGE SHALL BE IMPOSED FOR UTILIZATION OF ALL OR PART OF A VOLUNTARY AMBULANCE SERVICE, AS DEFINED IN SECTION THREE THOUSAND ONE OF THE PUBLIC HEALTH LAW, MAY BE OFFERED BY THE ENTITY PROVIDING SUCH AMBULANCE SERVICE WITHOUT SUCH ENTITY BEING LICENSED UNDER THIS CHAPTER AND WITHOUT SUCH ENTITY BEING SUBJECT TO ANY PROVISIONS OF THIS CHAPTER. PROVIDED, HOWEVER, THAT: (A) PARTICIPATION IN SUCH SUBSCRIPTION OR MEMBERSHIP PROGRAM MUST BE AVAILABLE TO ANY PERSON; AND (B) SUCH ENTITY OR ITS REPRESENTATIVE MUST INFORM A PERSON, AND HAVE SUCH PERSON ACKNOWLEDGE IN WRITING PRIOR TO ANY PAYMENT, THAT THE PROVIDER OF AMBULANCE SERVICE IS NOT CONTRACTUALLY OBLIGATED BY THE TERMS OF THE PROGRAM TO PROVIDE SERVICES EACH TIME A REQUEST FOR SERVICES IS MADE.

S 2. This act shall take effect immediately.

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

LBD16121-02-0