

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

10136--A

I N A S S E M B L Y

March 5, 2010

Introduced by M. of A. GUNTHER -- 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 coverage for the HALO breast pap test to detect risk of developing breast cancer

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 27 to read as follows:
3 (27) (A) EVERY POLICY WHICH PROVIDES COVERAGE FOR HOSPITAL, SURGICAL,
4 OR MEDICAL CARE COVERAGE SHALL PROVIDE COVERAGE FOR THE HALO BREAST PAP
5 TEST TO DETECT A WOMAN'S RISK OF DEVELOPING BREAST CANCER, WHEN SUCH
6 TEST IS RECOMMENDED BY A PHYSICIAN OR CERTIFIED NURSE PRACTITIONER.
7 (B) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE
8 MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE CONSISTENT
9 WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN POLICY.
10 (C) FOR PURPOSES OF THIS SECTION, "HALO BREAST PAP TEST" MEANS A
11 PROCEDURE THAT ENTAILS COLLECTION OF NIPPLE ASPIRATE FLUID FOR CYTOLOGI-
12 CAL EVALUATION.
13 S 2. Subsection (l) of section 3221 of the insurance law is amended by
14 adding a new paragraph 18 to read as follows:
15 (18) (A) A GROUP OR BLANKET ACCIDENT OR HEALTH INSURANCE POLICY OR
16 ISSUING A GROUP BLANKET POLICY FOR DELIVERY IN THIS STATE WHICH PROVIDES
17 COVERAGE FOR HOSPITAL, SURGICAL, OR MEDICAL CARE COVERAGE SHALL PROVIDE
18 COVERAGE FOR THE HALO BREAST PAP TEST TO DETECT A WOMAN'S RISK OF DEVEL-
19 OPING BREAST CANCER, WHEN SUCH TEST IS RECOMMENDED BY A PHYSICIAN OR
20 CERTIFIED NURSE PRACTITIONER.
21 (B) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE
22 AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE CONSISTENT
23 WITH THOSE ESTABLISHED FOR OTHER BENEFITS GIVEN A GIVEN POLICY.
24 (C) FOR PURPOSES OF THIS SECTION, "HALO BREAST PAP TEST" MEANS A
25 PROCEDURE THAT ENTAILS COLLECTION OF NIPPLE ASPIRATE FLUID FOR CYTOLOGI-
26 CAL EVALUATION.

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

LBD15946-03-0

1 S 3. Section 4303 of the insurance law is amended by adding a new
2 subsection (gg) to read as follows:

3 (GG)(1) A MEDICAL EXPENSE INDEMNITY CORPORATION, A HOSPITAL SERVICE
4 CORPORATION OR A HEALTH SERVICE CORPORATION WHICH PROVIDES COVERAGE FOR
5 HOSPITAL, SURGICAL, OR MEDICAL CARE COVERAGE SHALL PROVIDE COVERAGE FOR
6 THE HALO BREAST PAP TEST TO DETECT A WOMAN'S RISK OF DEVELOPING BREAST
7 CANCER, WHEN SUCH TEST IS RECOMMENDED BY A PHYSICIAN OR CERTIFIED NURSE
8 PRACTITIONER.

9 (2) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE
10 AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE CONSISTENT
11 WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN POLICY.

12 (3) FOR PURPOSES OF THIS SECTION, "HALO BREAST PAP TEST" MEANS A
13 PROCEDURE THAT ENTAILS COLLECTION OF NIPPLE ASPIRATE FLUID FOR CYTOLOGI-
14 CAL EVALUATION.

15 S 4. This act shall take effect on the first of January next succeed-
16 ing the date on which it shall have become a law and shall apply to all
17 policies or contracts issued, renewed, modified, altered or amended on
18 and after such effective date.