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

10755

I N A S S E M B L Y

April 20, 2010

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

AN ACT to amend the insurance law, in relation to coordination of benefits among dental health plans

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 3224-d to read as follows:

S 3224-D. COORDINATION OF DENTAL BENEFITS. EVERY HEALTH INSURANCE PLAN, MANAGED CARE HEALTH PLAN, HEALTH MAINTENANCE ORGANIZATION, OR ANY OTHER PLAN OF ANY TYPE AUTHORIZED UNDER THIS ARTICLE, ARTICLE FORTY-TWO, FORTY-THREE OR FORTY-EIGHT OF THIS CHAPTER, OR ANY OTHER ARTICLE OR PROVISION OF THIS CHAPTER, OR UNDER ARTICLE FORTY-FOUR OF THE PUBLIC HEALTH LAW OR ANY OTHER ARTICLE OR PROVISION OF THE PUBLIC HEALTH LAW, OR SECTION THREE HUNDRED SIXTY-FOUR-J OF THE SOCIAL SERVICES LAW OR ANY OTHER PROVISION OF THE SOCIAL SERVICES LAW, INCLUDING ANY GOVERNMENTAL PLAN, WHETHER AUTHORIZED UNDER ANY FEDERAL OR STATE LAW, SHALL DETERMINE AND PAY ITS BENEFITS FOR A PERSON'S DENTAL HEALTH CARE COVERAGE WITHOUT TAKING THE EXISTENCE OF ANY OTHER PLAN INTO CONSIDERATION. NO PERSON SHALL BE ENTITLED TO BE PAID MORE THAN THE TOTAL AMOUNT OF THE CLAIM SUBMITTED PURSUANT TO THIS SECTION. EVERY PLAN COVERED BY THIS SECTION SHALL EXPLAIN IN CLEAR, PLAIN, APPROPRIATE LANGUAGE TO ALL PERSONS COVERED BY THE PLAN THE COORDINATION OF BENEFIT RULES REQUIRED BY THIS SECTION, AND SHALL CONSULT IN ADVANCE WITH THE NEW YORK STATE DENTAL ASSOCIATION ON SUCH APPROPRIATE LANGUAGE.

S 2. This act shall take effect January 1, 2011.

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

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