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

1767

2009-2010 Regular Sessions

I N A S S E M B L Y

January 12, 2009

Introduced by M. of A. MORELLE, McENENY, MARKEY, CANESTRARI, CLARK, SCHROEDER -- Multi-Sponsored by -- M. of A. COLTON, COOK, DIAZ, GALEF, HOOPER, KOON, MAYERSOHN, MILLMAN, NOLAN, ORTIZ, PHEFFER, TOWNS, WRIGHT -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to mandatory health insurance coverage for cleft lip and cleft palate

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

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 26 to read as follows:

(26) EVERY POLICY WHICH PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR COMPREHENSIVE-TYPE COVERAGE SHALL INCLUDE COVERAGE FOR CLEFT LIP AND CLEFT PALATE. THIS SHALL INCLUDE COVERAGE NOT ONLY FOR TREATMENT OF THE GROSS ABNORMALITIES OF LIP AND PALATE BUT ALSO FOR ANY CONDITION OR ILLNESS WHICH IS RELATED TO OR DEVELOPED AS A RESULT OF CLEFT LIP AND/OR PALATE. COVERAGE SHALL INCLUDE, BUT NOT BE LIMITED TO, EXPENSES FOR THE FOLLOWING:

(A) ORAL SURGERY OF THE LIP, PALATE, JAW AND RELATED STRUCTURES. THIS SHALL INCLUDE BONE GRAFTS;

(B) FACIAL SURGERY OF THE LIP, PALATE, JAW, NOSE AND RELATED STRUCTURES. THIS SHALL INCLUDE BONE GRAFTS;

(C) PROSTHETIC TREATMENT AND APPLIANCES AND PROSTHODONTIA, INCLUDING OBTURATORS, SPEECH APPLIANCES, AND FEEDING APPLIANCES;

(D) ORTHODONTIC TREATMENT AND APPLIANCES AND ORTHODONTIA;

(E) PREVENTIVE AND RESTORATIVE DENTISTRY;

(F) OTOLARYNGOLOGY TREATMENT AND MANAGEMENT;

(G) AUDIOLOGICAL TREATMENT AND DEVICES;

(H) SPEECH/LANGUAGE TREATMENT; AND

(I) PSYCHOLOGICAL COUNSELING AND GENETIC COUNSELING.

COVERAGE SHALL INCLUDE EXPENSES FOR ASSESSMENT, EVALUATION, TREATMENT, MANAGEMENT, AND FOLLOW-UP CARE. COVERAGE SHALL NOT BE DENIED ON THE

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

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GROUND THAT IT IS FOR COSMETIC PURPOSES OR IS NOT FOR A FUNCTIONAL DEFECT OR IMPAIRMENT.

S 2. Subsection (l) of section 3221 of the insurance law is amended by adding a new paragraph 18 to read as follows:

(18) EVERY POLICY WHICH PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR COMPREHENSIVE-TYPE COVERAGE SHALL INCLUDE COVERAGE FOR CLEFT LIP AND CLEFT PALATE. THIS SHALL INCLUDE COVERAGE NOT ONLY FOR TREATMENT OF THE GROSS ABNORMALITIES OF LIP AND PALATE BUT ALSO FOR ANY CONDITION OR ILLNESS WHICH IS RELATED TO OR DEVELOPED AS A RESULT OF CLEFT LIP AND/OR PALATE. COVERAGE SHALL INCLUDE, BUT NOT BE LIMITED TO, EXPENSES FOR THE FOLLOWING:

(A) ORAL SURGERY OF THE LIP, PALATE, JAW AND RELATED STRUCTURES. THIS SHALL INCLUDE BONE GRAFTS;

(B) FACIAL SURGERY OF THE LIP, PALATE, JAW, NOSE AND RELATED STRUCTURES. THIS SHALL INCLUDE BONE GRAFTS;

(C) PROSTHETIC TREATMENT AND APPLIANCES AND PROSTHODONTIA, INCLUDING OBTURATORS, SPEECH APPLIANCES, AND FEEDING APPLIANCES;

(D) ORTHODONTIC TREATMENT AND APPLIANCES AND ORTHODONTIA;

(E) PREVENTIVE AND RESTORATIVE DENTISTRY;

(F) OTOLARYNGOLOGY TREATMENT AND MANAGEMENT;

(G) AUDIOLOGICAL TREATMENT AND DEVICES;

(H) SPEECH/LANGUAGE TREATMENT; AND

(I) PSYCHOLOGICAL COUNSELING AND GENETIC COUNSELING.

COVERAGE SHALL INCLUDE EXPENSES FOR ASSESSMENT, EVALUATION, TREATMENT, MANAGEMENT, AND FOLLOW-UP CARE. COVERAGE SHALL NOT BE DENIED ON THE GROUND THAT IT IS FOR COSMETIC PURPOSES OR IS NOT FOR A FUNCTIONAL DEFECT OR IMPAIRMENT.

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

(FF) EVERY POLICY WHICH PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR COMPREHENSIVE-TYPE COVERAGE SHALL INCLUDE COVERAGE FOR CLEFT LIP AND CLEFT PALATE. THIS SHALL INCLUDE COVERAGE NOT ONLY FOR TREATMENT OF THE GROSS ABNORMALITIES OF LIP AND PALATE BUT ALSO FOR ANY CONDITION OR ILLNESS WHICH IS RELATED TO OR DEVELOPED AS A RESULT OF CLEFT LIP AND/OR PALATE. COVERAGE SHALL INCLUDE, BUT NOT BE LIMITED TO, EXPENSES FOR THE FOLLOWING:

(A) ORAL SURGERY OF THE LIP, PALATE, JAW AND RELATED STRUCTURES. THIS SHALL INCLUDE BONE GRAFTS;

(B) FACIAL SURGERY OF THE LIP, PALATE, JAW, NOSE AND RELATED STRUCTURES. THIS SHALL INCLUDE BONE GRAFTS;

(C) PROSTHETIC TREATMENT AND APPLIANCES AND PROSTHODONTIA, INCLUDING OBTURATORS, SPEECH APPLIANCES, AND FEEDING APPLIANCES;

(D) ORTHODONTIC TREATMENT AND APPLIANCES AND ORTHODONTIA;

(E) PREVENTIVE AND RESTORATIVE DENTISTRY;

(F) OTOLARYNGOLOGY TREATMENT AND MANAGEMENT;

(G) AUDIOLOGICAL TREATMENT AND DEVICES;

(H) SPEECH/LANGUAGE TREATMENT; AND

(I) PSYCHOLOGICAL COUNSELING AND GENETIC COUNSELING.

COVERAGE SHALL INCLUDE EXPENSES FOR ASSESSMENT, EVALUATION, TREATMENT, MANAGEMENT, AND FOLLOW-UP CARE. COVERAGE SHALL NOT BE DENIED ON THE GROUND THAT IT IS FOR COSMETIC PURPOSES OR IS NOT FOR A FUNCTIONAL DEFECT OR IMPAIRMENT.

S 4. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to policies and contracts issued, renewed, modified, altered or amended on or after such date.