

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Subsection (i) of section 3216 of the insurance law is
2 amended by adding a new paragraph 26 to read as follows:
3 (26) EVERY POLICY WHICH PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR
4 COMPREHENSIVE-TYPE COVERAGE SHALL INCLUDE COVERAGE FOR CLEFT LIP AND
5 CLEFT PALATE. THIS SHALL INCLUDE COVERAGE NOT ONLY FOR TREATMENT OF THE
6 GROSS ABNORMALITIES OF LIP AND PALATE BUT ALSO FOR ANY CONDITION OR
7 ILLNESS WHICH IS RELATED TO OR DEVELOPED AS A RESULT OF CLEFT LIP AND/OR
8 PALATE. COVERAGE SHALL INCLUDE, BUT NOT BE LIMITED TO, EXPENSES FOR THE
9 FOLLOWING:
10 (A) ORAL SURGERY OF THE LIP, PALATE, JAW AND RELATED STRUCTURES. THIS
11 SHALL INCLUDE BONE GRAFTS;
12 (B) FACIAL SURGERY OF THE LIP, PALATE, JAW, NOSE AND RELATED STRUC-
13 TURES. THIS SHALL INCLUDE BONE GRAFTS;
14 (C) PROSTHETIC TREATMENT AND APPLIANCES AND PROSTHODONTIA, INCLUDING
15 OBTURATORS, SPEECH APPLIANCES, AND FEEDING APPLIANCES;
16 (D) ORTHODONTIC TREATMENT AND APPLIANCES AND ORTHODONTIA;
17 (E) PREVENTIVE AND RESTORATIVE DENTISTRY;
18 (F) OTOLARYNGOLOGY TREATMENT AND MANAGEMENT;
19 (G) AUDIOLOGICAL TREATMENT AND DEVICES;
20 (H) SPEECH/LANGUAGE TREATMENT; AND
21 (I) PSYCHOLOGICAL COUNSELING AND GENETIC COUNSELING.
22 COVERAGE SHALL INCLUDE EXPENSES FOR ASSESSMENT, EVALUATION, TREATMENT,
23 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.

LBD04126-01-9

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

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

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

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

14 (B) FACIAL SURGERY OF THE LIP, PALATE, JAW, NOSE AND RELATED STRUC-
15 TURES. THIS SHALL INCLUDE BONE GRAFTS;

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

18 (D) ORTHODONTIC TREATMENT AND APPLIANCES AND ORTHODONTIA;

19 (E) PREVENTIVE AND RESTORATIVE DENTISTRY;

20 (F) OTOLARYNGOLOGY TREATMENT AND MANAGEMENT;

21 (G) AUDIOLOGICAL TREATMENT AND DEVICES;

22 (H) SPEECH/LANGUAGE TREATMENT; AND

23 (I) PSYCHOLOGICAL COUNSELING AND GENETIC COUNSELING.

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

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

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

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

39 (B) FACIAL SURGERY OF THE LIP, PALATE, JAW, NOSE AND RELATED STRUC-
40 TURES. THIS SHALL INCLUDE BONE GRAFTS;

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

43 (D) ORTHODONTIC TREATMENT AND APPLIANCES AND ORTHODONTIA;

44 (E) PREVENTIVE AND RESTORATIVE DENTISTRY;

45 (F) OTOLARYNGOLOGY TREATMENT AND MANAGEMENT;

46 (G) AUDIOLOGICAL TREATMENT AND DEVICES;

47 (H) SPEECH/LANGUAGE TREATMENT; AND

48 (I) PSYCHOLOGICAL COUNSELING AND GENETIC COUNSELING.

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

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