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

5223

2009-2010 Regular Sessions

I N A S S E M B L Y

February 11, 2009

Introduced by M. of A. ESPAILLAT, PERALTA, ROBINSON -- Multi-Sponsored by -- M. of A. ALFANO, BARRA, BOYLAND, DIAZ, HOOPER -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring certain health and casualty insurers to provide coverage for prenatal ultrasounds

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 10-a to read as follows:

(10-A)(A) EVERY POLICY DELIVERED OR ISSUED FOR DELIVERY IN THIS STATE WHICH PROVIDES MEDICAL COVERAGE THAT INCLUDES COVERAGE FOR PHYSICIAN SERVICES IN A PHYSICIAN'S OFFICE AND EVERY POLICY WHICH PROVIDES MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE SHALL PROVIDE COVERAGE FOR PRENATAL MATERNITY CARE. SUCH PRENATAL MATERNITY CARE SHALL INCLUDE THE ADMINISTRATION AND INTERPRETATION OF AT LEAST ONE ULTRASOUND (THREE-DIMENSIONAL SONOGRAM) OF THE PREGNANCY.

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

S 2. Subsection (k) of section 3221 of the insurance law is amended by adding a new paragraph 5-a to read as follows:

(5-A)(A) EVERY GROUP OR BLANKET POLICY DELIVERED OR ISSUED FOR DELIVERY IN THIS STATE WHICH PROVIDES MEDICAL COVERAGE THAT INCLUDES COVERAGE FOR PHYSICIAN SERVICES IN A PHYSICIAN'S OFFICE, AND EVERY GROUP OR BLANKET POLICY WHICH PROVIDES MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE SHALL PROVIDE COVERAGE FOR PRENATAL MATERNITY CARE. SUCH PRENATAL MATERNITY CARE SHALL INCLUDE THE ADMINISTRATION AND INTERPRETATION OF AT LEAST ONE ULTRASOUND (THREE-DIMENSIONAL SONOGRAM) OF THE PREGNANCY.

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

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

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

(C-1) (1) EVERY CONTRACT ISSUED BY A CORPORATION SUBJECT TO THE PROVISIONS OF THIS ARTICLE WHICH PROVIDES HOSPITAL SERVICE, MEDICAL EXPENSE INDEMNITY OR BOTH SHALL PROVIDE COVERAGE FOR PRENATAL MATERNITY CARE. SUCH PRENATAL MATERNITY CARE SHALL INCLUDE THE ADMINISTRATION AND INTERPRETATION OF AT LEAST ONE ULTRASOUND (THREE-DIMENSIONAL SONOGRAM) OF THE PREGNANCY.

(2) SUCH COVERAGE SHALL BE MADE AVAILABLE AT THE INCEPTION OF ALL NEW CONTRACTS AND, WITH RESPECT TO ALL OTHER CONTRACTS, AT ANY ANNIVERSARY DATE SUBJECT TO EVIDENCE OF INSURABILITY. SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT.

S 4. This act shall take effect on the first of September next succeeding the date on which it shall have become a law, and shall apply to insurance coverage issued, renewed or delivered on or after such date.