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

5271

2009-2010 Regular Sessions

I N A S S E M B L Y

February 11, 2009

Introduced by M. of A. ESPAILLAT -- Multi-Sponsored by -- M. of A. BENJAMIN, CLARK, HOOPER, PEOPLES, PERALTA, TOWNS -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring certain health insurance policies to cover costs for laser vision correction

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 LASER VISION CORRECTION FOR A PARTICIPANT OR BENEFICIARY WHO HAS A VISION DISORDER AS A RESULT OF MYOPIA (NEARSIGHTEDNESS OR SHORTSIGHTEDNESS), HYPEROPIA (FARSIGHTEDNESS), OR ASTIGMATISM. 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 2. Subsection (k) of section 3221 of the insurance law is amended by adding a new paragraph 15 to read as follows:

(15) EVERY POLICY WHICH PROVIDES MEDICAL, MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE SHALL INCLUDE COVERAGE FOR LASER VISION CORRECTION FOR A PARTICIPANT OR BENEFICIARY WHO HAS A VISION DISORDER AS A RESULT OF MYOPIA (NEARSIGHTEDNESS OR SHORTSIGHTEDNESS), HYPEROPIA (FARSIGHTEDNESS), OR ASTIGMATISM. 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 LASER VISION

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

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CORRECTION FOR A PARTICIPANT OR BENEFICIARY WHO HAS A VISION DISORDER AS A RESULT OF MYOPIA (NEARSIGHTEDNESS OR SHORTSIGHTEDNESS), HYPEROPIA (FARSIGHTEDNESS), OR ASTIGMATISM. 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.