

6200

2009-2010 Regular Sessions

I N A S S E M B L Y

February 26, 2009

Introduced by M. of A. BARRA, WALKER -- Multi-Sponsored by -- M. of A. TOWNSEND -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring insurance policies covering surgery to cover all expenses incurred in connection with autologous blood transfusions

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, 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 SURGICAL COVERAGE SHALL PROVIDE
4 COVERAGE FOR ALL EXPENSES INCURRED IN CONNECTION WITH AUTOLOGOUS BLOOD
5 TRANSFUSIONS USED FOR OR INTENDED TO BE USED FOR SURGERY, INCLUDING THE
6 COLLECTION OF BLOOD PRIOR TO SURGERY AND THE TRANSFUSION OF SUCH BLOOD
7 INTO THE INSURED, WHETHER DONE BEFORE, DURING, OR AFTER SURGERY.
8 S 2. Subsection (1) of section 3221 of the insurance law is amended by
9 adding a new paragraph 18 to read as follows:
10 (18) EVERY GROUP OR BLANKET POLICY DELIVERED OR ISSUED FOR DELIVERY IN
11 THIS STATE WHICH PROVIDES SURGICAL COVERAGE SHALL PROVIDE COVERAGE FOR
12 ALL EXPENSES INCURRED IN CONNECTION WITH AUTOLOGOUS BLOOD TRANSFUSIONS
13 USED FOR OR INTENDED TO BE USED FOR SURGERY, INCLUDING THE COLLECTION OF
14 BLOOD PRIOR TO SURGERY AND THE TRANSFUSION OF SUCH BLOOD INTO THE
15 INSURED, WHETHER DONE BEFORE, DURING, OR AFTER SURGERY.
16 S 3. Section 4303 of the insurance law is amended by adding a new
17 subsection (ff) to read as follows:
18 (FF) A MEDICAL EXPENSE INDEMNITY CORPORATION, A HOSPITAL SERVICE
19 CORPORATION, OR A HEALTH SERVICE CORPORATION WHICH PROVIDES SURGICAL
20 COVERAGE SHALL PROVIDE COVERAGE FOR ALL EXPENSES INCURRED IN CONNECTION
21 WITH AUTOLOGOUS BLOOD TRANSFUSIONS USED FOR OR INTENDED TO BE USED FOR
22 SURGERY, INCLUDING THE COLLECTION OF BLOOD PRIOR TO SURGERY AND THE
23 TRANSFUSION OF SUCH BLOOD INTO THE INSURED, WHETHER DONE BEFORE, DURING,
24 OR AFTER SURGERY.

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

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1 S 4. This act shall take effect on the first of January next succeed-
2 ing the date on which it shall have become a law and shall apply to all
3 policies and contracts issued, renewed, modified, altered, or amended on
4 or after such date.