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

6274

2009-2010 Regular Sessions

I N  A S S E M B L Y

February 27, 2009

Introduced by M. of A. COOK, GREENE -- Multi-Sponsored by -- M. of A. BOYLAND, CLARK, COLTON, GOTTFRIED, JOHN, KOON, V. LOPEZ, McENENY, PEOPLES, PHEFFER, PRETLOW, J. RIVERA, ZEBROWSKI -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring the department of insurance to establish an office within the department which handles complaints relative to long term care health insurance plans

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

Section 1. Section 1117 of the insurance law is amended by adding a new subsection (h) to read as follows:

(H) THE DEPARTMENT SHALL ESTABLISH AN OFFICE WITHIN THE DEPARTMENT WHICH SHALL RECEIVE, INVESTIGATE AND TAKE ANY APPROPRIATE ACTION RELATIVE TO COMPLAINTS MADE BY ANY PERSON WITH RESPECT TO ANY PLAN FOR LONG TERM CARE AUTHORIZED PURSUANT TO THE PROVISIONS OF THIS SECTION. THE DEPARTMENT SHALL MAINTAIN A RECORD OF SUCH COMPLAINTS WHICH SHALL INCLUDE THE RESULTS OF ANY INVESTIGATIONS MADE AND ANY ACTION TAKEN RELATIVE TO SUCH COMPLAINTS AND INVESTIGATIONS. SUCH RECORDS SHALL BE MADE AVAILABLE TO THE PUBLIC FOR INSPECTION, EXCEPT THAT THE NAMES OF THE COMPLAINANTS SHALL BE DELETED FROM SUCH RECORDS PRIOR TO THE TIME SUCH RECORDS ARE MADE AVAILABLE TO THE PUBLIC FOR INSPECTION.

S 2. This act shall take effect immediately.

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

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