

8373

2009-2010 Regular Sessions

I N A S S E M B L Y

May 15, 2009

Introduced by M. of A. ALESSI -- read once and referred to the Committee
on Insurance

AN ACT to amend the public health law and the insurance law, in relation
to insurance reimbursement for early intervention services for infants
and toddlers with disabilities

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

- 1 Section 1. Subdivision 3 of section 2559 of the public health law is
2 amended by adding a new paragraph (e) to read as follows:
3 (E) AN INSURER OR HEALTH PLAN ADMINISTRATOR SHALL ACCEPT THE EARLY
4 INTERVENTION INDIVIDUAL FAMILY SERVICE PLAN AS DOCUMENTATION OF PRE-AU-
5 THORIZATION AND PRIOR APPROVAL FOR SUCH SERVICES TO AN ELIGIBLE CHILD.
6 ALL SUCH SERVICES SHALL BE CONSIDERED "COVERED SERVICES". A QUALIFIED
7 PROVIDER OF EARLY INTERVENTION SERVICES, AS DEFINED IN THIS ARTICLE,
8 SHALL NOT BE CONSIDERED AN OUT-OF-NETWORK PROVIDER FOR PURPOSES OF
9 COVERAGE UNDER AN INSURANCE POLICY OR HEALTH INSURANCE PLAN.
10 S 2. Section 3235-a of the insurance law is amended by adding a new
11 subsection (e) to read as follows:
12 (E) NO INSURER, INCLUDING A HEALTH MAINTENANCE ORGANIZATION ISSUED A
13 CERTIFICATE OF AUTHORITY UNDER ARTICLE FORTY-FOUR OF THE PUBLIC HEALTH
14 LAW AND A CORPORATION ORGANIZED UNDER ARTICLE FORTY-THREE OF THIS CHAP-
15 TER, SHALL REFUSE TO ACCEPT THE EARLY INTERVENTION INDIVIDUAL FAMILY
16 SERVICE PLAN AS DOCUMENTATION OF PRE-AUTHORIZATION AND PRIOR APPROVAL
17 FOR SUCH SERVICES TO AN ELIGIBLE CHILD. ALL SUCH SERVICES SHALL BE
18 CONSIDERED "COVERED SERVICES". A QUALIFIED PROVIDER OF EARLY INTER-
19 VENTION SERVICES, AS DEFINED IN THIS ARTICLE, SHALL NOT BE CONSIDERED AN
20 OUT-OF-NETWORK PROVIDER FOR PURPOSES OF COVERAGE UNDER AN INSURANCE
21 POLICY OR HEALTH INSURANCE PLAN.
22 S 3. This act shall take effect immediately.

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

LBD11418-01-9