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

1646

2009-2010 Regular Sessions

I N S E N A T E

February 3, 2009

Introduced by Sens. HUNTLEY, ADAMS, AUBERTINE, BRESLIN, DIAZ, ESPADA, KLEIN, MONSERRATE, ONORATO, OPPENHEIMER, PERKINS, SAMPSON, SAVINO, SCHNEIDERMAN, SQUADRON, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to directing the commissioner of mental health to prepare a report on the effectiveness of mental health parity; to amend chapter 748 of the laws of 2006 amending the insurance law relating to enacting "Timothy's law", in relation to making the provisions of such chapter permanent; and to amend chapter 502 of the laws of 2007 amending the insurance law relating to certain coverage for mental illness, in relation to the effectiveness thereof

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

Section 1. Section 7.09 of the mental hygiene law is amended by adding a new subdivision (k) to read as follows:

(K) THE COMMISSIONER OF MENTAL HEALTH, IN CONSULTATION WITH THE SUPERINTENDENT OF INSURANCE, SHALL PREPARE A REPORT ON THE EFFECTIVENESS OF MENTAL HEALTH PARITY. SUCH REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO THE RESULTS AND FINDINGS OF A STUDY CONDUCTED BY THE OFFICE OF MENTAL HEALTH AND THE SUPERINTENDENT OF INSURANCE PURSUANT TO CHAPTER SEVEN HUNDRED FORTY-EIGHT OF THE LAWS OF TWO THOUSAND SIX. THE COMMISSIONER OF MENTAL HEALTH SHALL DELIVER A COPY OF SUCH REPORT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY ON OR BEFORE MARCH THIRTY-FIRST, TWO THOUSAND TEN.

S 2. Section 8 of chapter 748 of the laws of 2006, amending the insurance law relating to enacting "Timothy's law", is amended to read as follows:

S 8. This act shall take effect on the first of January next succeeding the date on which it shall have become a law [and shall expire and

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

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be deemed repealed December 31, 2009;] and the provisions of this act shall apply to policies and contracts issued, renewed, modified, altered or amended on or after such effective date.

S 3. Section 4 of chapter 502 of the laws of 2007, amending the insurance law relating to certain coverage for mental illness, is amended to read as follows:

S 4. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after January 1, 2007, and shall apply to all policies and contracts issued, renewed, modified, altered or amended on or after such date; provided, however, that the notice of availability of coverage requirements provided in sections one, two and three of this act and the amendments relating to school blanket contracts made by sections two and three of this act shall take effect immediately and shall apply to all contracts issued, renewed, modified, altered or amended on or after such effective date[; and provided further, that the amendments to paragraph 5 of subsection (l) of section 3221 and subsections (g) and (h) of section 4303 of the insurance law made by sections one, two and three of this act shall not affect the expiration of such provisions and shall expire therewith].

S 4. This act shall take effect immediately.