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

563

2009-2010 Regular Sessions

I N  S E N A T E

January 9, 2009

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to providing health insurance coverage for smoking cessation treatments

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

Section 1. Section 3221 of the insurance law is amended by adding a new subsection (r) to read as follows:

(R)(1) EVERY INSURER DELIVERING OR ISSUING FOR DELIVERY IN THIS STATE A GROUP OR BLANKET POLICY WHICH PROVIDES HOSPITAL, SURGICAL OR MEDICAL EXPENSE COVERAGE MUST PROVIDE COVERAGE FOR PROVEN SYSTEMS OF SMOKING CESSATION TREATMENTS.

(2) A SYSTEM OF SMOKING CESSATION APPROVED IN WRITING BY THE COVERED PERSON'S PRIMARY PHYSICIAN SHALL BE DEEMED A PROVEN SYSTEM.

(3) SUCH COVERAGE SHALL BE MADE AVAILABLE AT THE INCEPTION OF ALL NEW POLICIES AND, WITH RESPECT TO ALL OTHER POLICIES, AT THE ANNIVERSARY DATE OF THE POLICY NEXT SUCCEEDING THE EFFECTIVE DATE OF THIS SUBSECTION.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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