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

8076

I N S E N A T E

June 4, 2010

Introduced by Sen. BRESLIN -- 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 private air ambulance service

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

Section 1. Section 1108 of the insurance law is amended by adding a new subsection (j) to read as follows:

(J) A PRIVATE AIR AMBULANCE SERVICE THAT SOLICITS MEMBERSHIP SUBSCRIPTIONS, ACCEPTS MEMBERSHIP APPLICATIONS, CHARGES MEMBERSHIP FEES, AND PROVIDES AIR AMBULANCE SERVICES TO SUBSCRIPTION MEMBERS AND DESIGNATED MEMBERS OF THEIR HOUSEHOLD IS NOT AN INSURER IF THE PRIVATE AIR AMBULANCE SERVICE:

(1) HAS A VALID OPERATING CERTIFICATE ISSUED BY THE DEPARTMENT OF HEALTH;

(2) HAS NON-PROFIT STATUS;

(3) HAS BEEN IN OPERATION IN NEW YORK FOR AT LEAST TWO YEARS;

(4) PROVIDES IN THE MEMBERSHIP MATERIALS A STATEMENT PROVIDING CLEAR DISCLOSURE TO APPLICANTS AND MEMBERS THAT THIS IS NOT INSURANCE AND MEMBERSHIP CANNOT BE CONSIDERED SECONDARY INSURANCE COVERAGE OR A SUPPLEMENT TO ANY INSURANCE COVERAGE;

(5) PRODUCT IS ONLY OFFERED BY PROVIDERS OF THE SERVICE; AND

(6) HAS SUBMITTED EVIDENCE OF ITS COMPLIANCE WITH THIS SECTION TO THE SUPERINTENDENT PURSUANT TO RULES AND REGULATIONS PROMULGATED BY THE DEPARTMENT.

S 2. This act shall take effect on the thirtieth 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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