

10231

I N A S S E M B L Y

March 11, 2010

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

AN ACT to amend the insurance law, in relation to annual physicals and
well care visits

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

1 Section 1. Subsection (i) of section 3216 of the insurance law is
2 amended by adding a new paragraph 27 to read as follows:

3 (27) EVERY INDIVIDUAL POLICY WHICH PROVIDES MEDICAL, MAJOR MEDICAL OR
4 SIMILAR COMPREHENSIVE-TYPE COVERAGE THAT INCLUDES COVERAGE FOR A PHYS-
5 ICAL OR WELL CARE VISIT ONCE IN EVERY THREE HUNDRED SIXTY-FIVE DAYS
6 SHALL BE INTERPRETED TO MEAN THAT SUCH PHYSICAL OR WELL CARE VISIT CAN
7 BE HAD ONCE EVERY CALENDAR YEAR, REGARDLESS OF WHETHER OR NOT A PERIOD
8 OF THREE HUNDRED SIXTY-FIVE DAYS HAS PASSED SINCE THE PREVIOUS PHYSICAL
9 OR WELL CARE VISIT.

10 S 2. Subsection (k) of section 3221 of the insurance law is amended by
11 adding a new paragraph 16 to read as follows:

12 (16) EVERY GROUP OR BLANKET POLICY WHICH PROVIDES MEDICAL, MAJOR
13 MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE THAT INCLUDES COVERAGE
14 FOR A PHYSICAL OR WELL CARE VISIT ONCE IN EVERY THREE HUNDRED SIXTY-FIVE
15 DAYS SHALL BE INTERPRETED TO MEAN THAT SUCH PHYSICAL OR WELL CARE VISIT
16 CAN BE HAD ONCE EVERY CALENDAR YEAR, REGARDLESS OF WHETHER OR NOT A
17 PERIOD OF THREE HUNDRED SIXTY-FIVE DAYS HAS PASSED SINCE THE PREVIOUS
18 PHYSICAL OR WELL CARE VISIT.

19 S 3. Section 4303 of the insurance law is amended by adding a new
20 subsection (gg) to read as follows:

21 (GG) EVERY CONTRACT ISSUED BY A CORPORATION SUBJECT TO THE PROVISIONS
22 OF THIS ARTICLE WHICH PROVIDES MEDICAL, MAJOR MEDICAL OR SIMILAR COMPRE-
23 HENSIVE-TYPE COVERAGE THAT INCLUDES COVERAGE FOR A PHYSICAL OR WELL CARE
24 VISIT ONCE IN EVERY THREE HUNDRED SIXTY-FIVE DAYS SHALL BE INTERPRETED
25 TO MEAN THAT SUCH PHYSICAL OR WELL CARE VISIT CAN BE HAD ONCE EVERY
26 CALENDAR YEAR, REGARDLESS OF WHETHER OR NOT A PERIOD OF THREE HUNDRED
27 SIXTY-FIVE DAYS HAS PASSED SINCE THE PREVIOUS PHYSICAL OR WELL CARE
28 VISIT.

29 S 4. This act shall take effect on the ninetieth day after it shall
30 have become a law and shall apply to policies and contracts issued,
31 renewed, modified, altered or amended on or after such date.

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

LBD10734-03-0