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

3429

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. BRADLEY, CYMBROWITZ, GALEF, FIELDS, BENEDETTO, ESPAILLAT, CLARK, PERRY, HOOPER -- Multi-Sponsored by -- M. of A. COLTON, GREENE, LATIMER, MAYERSOHN, PAULIN, PHEFFER, SCHIMEL -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to the processing of certain claims

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

Section 1. The insurance law is amended by adding a new section 3240 to read as follows:

S 3240. PROCESSING OF CLAIMS OF SERVICES RENDERED BY SPECIALISTS. IF A CLAIM FOR SERVICES IS DENIED BY AN INSURANCE COMPANY AND THOSE SERVICES WERE PROVIDED FOR BY AN AMERICAN BOARD OF MEDICAL SPECIALTIES (ABMS) CERTIFIED SPECIALIST, SUCH SPECIALIST MAY OPT TO HAVE THE INSURANCE COMPANY HAVE THE CLAIM FOR SERVICES REVIEWED BY AN ABMS CERTIFIED SPECIALIST IN THE SAME FIELD. IF THE REVIEWING SPECIALIST DETERMINES THAT THE RENDERED SERVICES WERE MEDICALLY NECESSARY, THEN THE INSURANCE COMPANY SHALL GRANT THE CLAIM.

S 2. This act shall take effect immediately.

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

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