

4052--A

2009-2010 Regular Sessions

I N   A S S E M B L Y

January 29, 2009

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Introduced by M. of A. CYMBROWITZ, JOHN, PHEFFER, REILLY, ABBATE,  
EDDINGTON -- Multi-Sponsored by -- M. of A. BRENNAN, KOON, ROBINSON --  
read once and referred to the Committee on Insurance -- committee  
discharged, bill amended, ordered reprinted as amended and recommitted  
to said committee

AN ACT to amend the insurance law, in relation to allowing victims of  
domestic violence the opportunity to designate an alternate address  
for insurance claims or billing purposes

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

1     Section 1. Paragraph 16 of subsection (a) of section 3217-a of the  
2     insurance law, as added by chapter 705 of the laws of 1996, is amended  
3     and a new paragraph 16-a is added to read as follows:  
4     (16) notice of all appropriate mailing addresses and telephone numbers  
5     to be utilized by insureds seeking information or authorization; [and]  
6     (16-A) NOTICE OF THE OPTION TO DESIGNATE AN ALTERNATIVE MAILING  
7     ADDRESS, ALTERNATIVE TELEPHONE NUMBER OR OTHER ALTERNATIVE CONTACT  
8     INFORMATION, UPON THE REQUEST OF A VICTIM OF DOMESTIC VIOLENCE, FOR THE  
9     PURPOSE OF RECEIVING SPECIFIC CLAIM INFORMATION OR FOR SPECIFIC BILLING  
10    PURPOSES PURSUANT TO SECTION THREE THOUSAND TWO HUNDRED THIRTY-FOUR-A OF  
11    THIS ARTICLE; AND  
12    S 2. The insurance law is amended by adding a new section 3234-a to  
13    read as follows:  
14    S 3234-A. ALTERNATIVE CONTACT INFORMATION FOR VICTIMS OF DOMESTIC  
15    VIOLENCE. (A) EVERY INSURER IS REQUIRED TO PROVIDE ANY INSURED OR  
16    SUBSCRIBER WHO IS A VICTIM OF DOMESTIC VIOLENCE, UPON REQUEST OF SUCH  
17    INSURED OR SUBSCRIBER, WITH THE OPTION TO DESIGNATE AN ALTERNATIVE MAIL-  
18    ING ADDRESS, ALTERNATIVE TELEPHONE NUMBER OR OTHER ALTERNATIVE CONTACT  
19    INFORMATION FOR THE PURPOSE OF RECEIVING SPECIFIC CLAIM INFORMATION OR  
20    FOR SPECIFIC BILLING PURPOSES.

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

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1 (B) FOR PURPOSES OF THIS SECTION, THE TERM "VICTIM OF DOMESTIC  
2 VIOLENCE" SHALL HAVE THE SAME MEANING AS CONTAINED IN SECTION FOUR  
3 HUNDRED FIFTY-NINE-A OF THE SOCIAL SERVICES LAW.

4 S 3. Section 4306 of the insurance law is amended by adding a new  
5 subsection (j-1) to read as follows:

6 (J-1) A STATEMENT THAT INFORMS THE INSURED OR SUBSCRIBER THAT IF HE OR  
7 SHE IS A VICTIM OF DOMESTIC VIOLENCE, SUCH INSURED OR SUBSCRIBER MAY  
8 REQUEST THE CORPORATION TO USE AN ALTERNATIVE MAILING ADDRESS, ALTERNA-  
9 TIVE TELEPHONE NUMBER OR OTHER ALTERNATIVE CONTACT INFORMATION FOR THE  
10 PURPOSE OF RECEIVING SPECIFIC CLAIM INFORMATION OR FOR SPECIFIC BILLING  
11 PURPOSES. FOR PURPOSES OF THIS SUBSECTION, THE TERM "VICTIM OF DOMESTIC  
12 VIOLENCE" SHALL HAVE THE SAME MEANING AS CONTAINED IN SECTION FOUR  
13 HUNDRED FIFTY-NINE-A OF THE SOCIAL SERVICES LAW.

14 S 4. Section 2612 of the insurance law is amended by adding a new  
15 subsection (h) to read as follows:

16 (H) IF ANY PERSON COVERED BY AN INSURANCE POLICY OR CONTRACT ISSUED TO  
17 ANOTHER PERSON AS THE POLICY HOLDER DELIVERS TO THE ISSUER OF SUCH POLI-  
18 CY, AT ITS HOME OFFICE, A NOTICE THAT SUCH INSURED OR SUBSCRIBER IS A  
19 VICTIM OF DOMESTIC VIOLENCE, THEN SUCH ISSUER SHALL HONOR THE REQUEST OF  
20 SUCH VICTIM TO DESIGNATE AN ALTERNATIVE MAILING ADDRESS, ALTERNATIVE  
21 TELEPHONE NUMBER OR OTHER ALTERNATIVE CONTACT INFORMATION FOR THE  
22 PURPOSE OF RECEIVING SPECIFIC CLAIM INFORMATION OR FOR SPECIFIC BILLING  
23 PURPOSES. FOR THE PURPOSES OF THIS SUBSECTION, THE TERM VICTIM OF DOMES-  
24 TIC VIOLENCE SHALL HAVE THE SAME MEANING AS CONTAINED IN SECTION FOUR  
25 HUNDRED FIFTY-NINE-A OF THE SOCIAL SERVICES LAW.

26 S 5. This act shall take effect on the thirtieth day after it shall  
27 have become a law and shall apply to all policies and contracts issued,  
28 renewed, altered or modified on or after such effective date.