

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

4572--A

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. P. RIVERA, LUPARDO, CAHILL, ALESSI, STIRPE, CAMARA, CUSICK, LAVINE, ROSENTHAL, LANCMAN, KOON, KAVANAGH, JAFFEE, N. RIVERA, GUNTHER, SCHROEDER, SPANO, SCHIMEL, GOTTFRIED, BRENNAN, ESPAILLAT, ZEBROWSKI, CARROZZA, MAISEL, ORTIZ, O'DONNELL, RAMOS, TITONE -- Multi-Sponsored by -- M. of A. ALFANO, AUBRY, BALL, BARRA, BENJAMIN, BING, BOYLAND, BOYLE, BRODSKY, BROOK-KRASNY, BURLING, BUTLER, CALHOUN, CHRISTENSEN, COLTON, CONTE, COOK, DINOWITZ, DUPREY, ENGLEBRIGHT, ERRIGO, FIELDS, GALEF, GIGLIO, GLICK, HAWLEY, HEVESI, HOOPER, HOYT, JACOBS, JEFFRIES, JOHN, KELLNER, LENTOL, LIFTON, P. LOPEZ, MAGEE, MAYERSOHN, McDONOUGH, MCENENY, MCKEVITT, MOLINARO, PAULIN, PERALTA, PHEFFER, PRETLOW, RABBITT, REILLY, SALADINO, SAYWARD, SCARBOROUGH, SCOZZAFAVA, SWEENEY, TEDISCO, THIELE, TOBACCO, TOWNSEND, WEISENBERG -- read once and referred to the Committee on Mental Health, Mental Retardation and Developmental Disabilities -- recommitted to the Committee on Insurance in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to post traumatic stress disorder

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

1 Section 1. Clause (ii) of subparagraph (B) of paragraph 5 of
2 subsection (1) of section 3221 of the insurance law, as amended by chap-
3 ter 502 of the laws of 2007, is amended to read as follows:
4 (ii) For purposes of this paragraph, the term "biologically based
5 mental illness" means a mental, nervous, or emotional condition that is
6 caused by a biological disorder of the brain and results in a clinically
7 significant, psychological syndrome or pattern that substantially limits
8 the functioning of the person with the illness. Such biologically based
9 mental illnesses are defined as schizophrenia/psychotic disorders, major
10 depression, bipolar disorder, delusional disorders, panic disorder,

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

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1 obsessive compulsive disorders, bulimia, [and] anorexia, AND POST TRAU-
2 MATIC STRESS DISORDER.

3 S 2. Subparagraph (B) of paragraph 2 of subsection (g) of section 4303
4 of the insurance law, as amended by chapter 502 of the laws of 2007, is
5 amended to read as follows:

6 (B) For purposes of this subsection, the term "biologically based
7 mental illness" means a mental, nervous, or emotional condition that is
8 caused by a biological disorder of the brain and results in a clinically
9 significant, psychological syndrome or pattern that substantially limits
10 the functioning of the person with the illness. Such biologically based
11 mental illnesses are defined as schizophrenia/psychotic disorders, major
12 depression, bipolar disorder, delusional disorders, panic disorder,
13 obsessive compulsive disorders, anorexia, [and] bulimia, AND POST TRAU-
14 MATIC STRESS DISORDER.

15 S 3. Subparagraph (B) of paragraph 2 of subsection (h) of section 4303
16 of the insurance law, as amended by chapter 502 of the laws of 2007, is
17 amended to read as follows:

18 (B) For purposes of this subsection, the term "biologically based
19 mental illness" means a mental, nervous, or emotional condition that is
20 caused by a biological disorder of the brain and results in a clinically
21 significant, psychological syndrome or pattern that substantially limits
22 the functioning of the person with the illness. Such biologically based
23 mental illnesses are defined as schizophrenia/psychotic disorders, major
24 depression, bipolar disorder, delusional disorders, panic disorder,
25 obsessive compulsive disorder, anorexia, [and] bulimia, AND POST TRAU-
26 MATIC STRESS DISORDER.

27 S 4. This act shall take effect on the ninetieth day after it shall
28 have become a law; provided, however, that the provisions of this act
29 shall apply to policies and contracts issued, renewed, modified, altered
30 or amended on or after such effective date.