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

6143

2009-2010 Regular Sessions

I N A S S E M B L Y

February 26, 2009

Introduced by M. of A. DINOWITZ, GOTTFRIED, CYMBROWITZ, EDDINGTON -- Multi-Sponsored by -- M. of A. ALFANO, BRADLEY, BRENNAN, COOK, FARRELL, GALEF, GLICK, McENENY, PAULIN, PERRY, PHEFFER, REILLY, J. RIVERA, ROBINSON, WALKER, WEINSTEIN -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to payments to health care providers for emergency service rendered for injuries incurred as a result of the operation of a motor vehicle while in an intoxicated condition

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

Section 1. Subsection (b) of section 5103 of the insurance law is amended by adding a new paragraph 2-a to read as follows:

(2-A) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH TWO OF THIS SUBSECTION, A HEALTH CARE PROVIDER WHO PROVIDES ANY SERVICE DESCRIBED IN PARAGRAPH ONE OF SUBSECTION (A) OF SECTION FIVE THOUSAND ONE HUNDRED TWO OF THIS ARTICLE PURSUANT TO SECTION TWENTY-EIGHT HUNDRED FIVE-B OF THE PUBLIC HEALTH LAW OR TO PROVIDE MEDICAL SCREENING AND NECESSARY STABILIZING TREATMENT FOR EMERGENCY MEDICAL CONDITIONS, TO AN OTHERWISE COVERED PERSON, SHALL BE REIMBURSED REGARDLESS OF THE FACT THAT SUCH PERSON WAS INJURED AS THE RESULT OF OPERATING A MOTOR VEHICLE WHILE IN AN INTOXICATED CONDITION.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall apply to all policies issued, 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.

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