

9408

I N A S S E M B L Y

(PREFILED)

January 6, 2010

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

AN ACT to amend the insurance law, in relation to insurance coverage for mentally or physically disabled dependents

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

1 Section 1. Subparagraph (A) of paragraph 1 of subsection (d) of
2 section 4304 of the insurance law, as amended by chapter 240 of the laws
3 of 2009, is amended to read as follows:
4 (A) No contract issued pursuant to this section shall entitle more
5 than one person to benefits except that a contract issued and marked as
6 a "family contract" [may] SHALL provide that benefits will be furnished
7 to a husband and wife, or husband, wife and their dependent child or
8 children, or any child or children not over nineteen years of age,
9 provided that an unmarried student at an accredited institution of
10 learning may be considered a dependent until he OR SHE becomes twenty-
11 three years of age, provided that the coverage of any such "family
12 contract" [may] SHALL include, at the option of the insurer, any unmar-
13 ried child until attaining age twenty-five, and provided also that the
14 coverage of any such "family contract" shall include any other unmarried
15 child, regardless of age, who is incapable of self-sustaining employment
16 by reason of mental illness, developmental disability, OR mental retar-
17 dation, as defined in the mental hygiene law, [or physical handicap and
18 who became so incapable prior to attainment of the age at which depend-
19 ent coverage would otherwise terminate,] so that such child may be
20 considered a dependent.
21 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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