

4516

2009-2010 Regular Sessions

I N S E N A T E

April 24, 2009

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to policy coverage of chemotherapy treatment

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

1 Section 1. Subsection (i) of section 3216 of the insurance law is
2 amended by adding a new paragraph 12-a to read as follows:

3 (12-A) EVERY POLICY DELIVERED OR ISSUED FOR DELIVERY IN THIS STATE
4 THAT PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR COMPREHENSIVE-TYPE
5 COVERAGE AND PROVIDES COVERAGE FOR CANCER CHEMOTHERAPY TREATMENT SHALL
6 PROVIDE COVERAGE FOR A PRESCRIBED, ORALLY ADMINISTERED ANTICANCER MEDI-
7 CATION USED TO KILL OR SLOW THE GROWTH OF CANCEROUS CELLS ON A BASIS NO
8 LESS FAVORABLE THAN INTRAVENOUSLY ADMINISTERED OR INJECTED CANCER MEDI-
9 CATIONS.

10 S 2. Subsection (k) of section 3221 of the insurance law is amended by
11 adding a new paragraph 9-a to read as follows:

12 (9-A) EVERY GROUP OR BLANKET POLICY DELIVERED OR ISSUED FOR DELIVERY
13 IN THIS STATE THAT PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR COMPRE-
14 HENSIVE-TYPE COVERAGE AND PROVIDES COVERAGE FOR CANCER CHEMOTHERAPY
15 TREATMENT SHALL PROVIDE COVERAGE FOR A PRESCRIBED, ORALLY ADMINISTERED
16 ANTICANCER MEDICATION USED TO KILL OR SLOW THE GROWTH OF CANCEROUS CELLS
17 ON A BASIS NO LESS FAVORABLE THAN INTRAVENOUSLY ADMINISTERED OR INJECTED
18 CANCER MEDICATIONS.

19 S 3. Section 4303 of the insurance law is amended by adding a new
20 subsection (q-1) to read as follows:

21 (Q-1) EVERY POLICY ISSUED BY A MEDICAL EXPENSE INDEMNITY CORPORATION,
22 A HOSPITAL SERVICE CORPORATION OR A HEALTH SERVICE CORPORATION FOR
23 DELIVERY IN THIS STATE THAT PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR
24 COMPREHENSIVE-TYPE COVERAGE AND PROVIDES COVERAGE FOR CANCER CHEMOTHERA-
25 PY TREATMENT SHALL PROVIDE COVERAGE FOR A PRESCRIBED, ORALLY ADMINIS-

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

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1 TERED ANTICANCER MEDICATION USED TO KILL OR SLOW THE GROWTH OF CANCEROUS
2 CELLS ON A BASIS NO LESS FAVORABLE THAN INTRAVENOUSLY ADMINISTERED OR
3 INJECTED CANCER MEDICATIONS.
4 S 4. This act shall take effect immediately and shall apply to poli-
5 cies issued, modified, or renewed on or after such effective date.