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

3177

2011-2012 Regular Sessions

I N A S S E M B L Y

January 24, 2011

Introduced by M. of A. PRETLOW, JAFFEE -- Multi-Sponsored by -- M. of A. BING, CAHILL, CLARK, COOK, CUSICK, DESTITO, DINOWITZ, GALEF, GLICK, HOOPER, HOYT, JACOBS, V. LOPEZ, MAGEE, MAYERSOHN, MILLMAN, ORTIZ, PERRY, SCARBOROUGH, SWEENEY, TOWNS, WEINSTEIN, WEISENBERG, WRIGHT -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to health insurance coverage for diagnostic testing for ovarian cancer

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

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 11-b to read as follows:

(11-B) (A) EVERY POLICY DELIVERED OR ISSUED FOR DELIVERY IN THIS STATE WHICH PROVIDES MEDICAL COVERAGE THAT INCLUDES COVERAGE FOR PHYSICIAN SERVICES IN A PHYSICIAN'S OFFICE AND EVERY POLICY WHICH PROVIDES MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE SHALL PROVIDE, UPON THE PRESCRIPTION OF A HEALTH CARE PROVIDER LEGALLY AUTHORIZED TO PRESCRIBE UNDER TITLE EIGHT OF THE EDUCATION LAW, COVERAGE FOR DIAGNOSTIC TESTING FOR OVARIAN CANCER, INCLUDING A PELVIC EXAMINATION, A SONOGRAM, A CA 125 BLOOD TEST AND LABORATORY AND DIAGNOSTIC SERVICES PROVIDED IN CONNECTION WITH EXAMINING AND EVALUATING SUCH BLOOD TEST FOR WOMEN AGED FORTY AND OVER WITH ONE OR MORE FEMALE RELATIVES WITH A PRIOR HISTORY OF OVARIAN CANCER.

(B) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE CONSISTENT WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN POLICY.

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

(11-B) (A) EVERY INSURER WHICH DELIVERS OR ISSUES FOR DELIVERY IN THIS STATE A POLICY WHICH PROVIDES MEDICAL COVERAGE THAT INCLUDES COVERAGE FOR PHYSICIAN SERVICES IN A PHYSICIAN'S OFFICE OR MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE SHALL PROVIDE, UPON THE PRESCRIPTION OF

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

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A HEALTH CARE PROVIDER LEGALLY AUTHORIZED TO PRESCRIBE UNDER TITLE EIGHT OF THE EDUCATION LAW, COVERAGE FOR DIAGNOSTIC TESTING FOR OVARIAN CANCER, INCLUDING A PELVIC EXAMINATION, A SONOGRAM, A CA 125 BLOOD TEST AND LABORATORY AND DIAGNOSTIC SERVICES PROVIDED IN CONNECTION WITH EXAMINING AND EVALUATING SUCH BLOOD TEST FOR WOMEN AGED FORTY AND OVER WITH ONE OR MORE FEMALE RELATIVES WITH A PRIOR HISTORY OF OVARIAN CANCER.

(B) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE CONSISTENT WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN POLICY.

S 3. Section 4303 of the insurance law is amended by adding a new subsection (hh) to read as follows:

(HH) (1) A HOSPITAL SERVICE CORPORATION, MEDICAL EXPENSE INDEMNITY CORPORATION OR HEALTH SERVICE CORPORATION WHICH PROVIDES MEDICAL COVERAGE THAT INCLUDES COVERAGE FOR PHYSICIAN SERVICES IN A PHYSICIAN'S OFFICE OR MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE SHALL PROVIDE, UPON THE PRESCRIPTION OF A HEALTH CARE PROVIDER LEGALLY AUTHORIZED TO PRESCRIBE UNDER TITLE EIGHT OF THE EDUCATION LAW, COVERAGE FOR DIAGNOSTIC TESTING FOR OVARIAN CANCER, INCLUDING A PELVIC EXAMINATION, A SONOGRAM, A CA 125 BLOOD TEST AND LABORATORY AND DIAGNOSTIC SERVICES PROVIDED IN CONNECTION WITH EXAMINING AND EVALUATING SUCH BLOOD TEST FOR WOMEN AGED FORTY AND OVER WITH ONE OR MORE FEMALE RELATIVES WITH A PRIOR HISTORY OF OVARIAN CANCER.

(2) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE CONSISTENT WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN POLICY.

S 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to all policies issued, renewed, altered or modified on or after such effective date.