

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

7999--B

2011-2012 Regular Sessions

I N A S S E M B L Y

May 25, 2011

Introduced by M. of A. LATIMER, PRETLOW -- read once and referred to the Committee on Insurance -- 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 -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to authorizing health insurance reimbursement for certified registered nurse anesthetists providing anesthesia services

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

1 Section 1. Paragraphs 27 and 28 of subsection (i) of section 3216 of
2 the insurance law, paragraph 27 as added by chapter 536 of the laws of
3 2010 and paragraph 28 as added by chapter 589 of the laws of 2011, are
4 renumbered paragraphs 29 and 30 respectively and a new paragraph 31 is
5 added to read as follows:
6 (31) AT THE DISCRETION OF THE INSURER, ANESTHESIA SERVICES PROVIDED BY
7 A CERTIFIED REGISTERED NURSE ANESTHETIST MAY BE ELIGIBLE FOR REIMBURSE-
8 MENT UNDER ANY POLICY WHICH PROVIDES FOR COVERAGE FOR ANESTHESIA
9 SERVICES. PROVIDED HOWEVER, THAT NOTHING CONTAINED HEREIN SHALL BE
10 CONSTRUED TO REQUIRE AN INSURER TO REIMBURSE BOTH A PHYSICIAN AND A
11 CERTIFIED REGISTERED NURSE ANESTHETIST FOR PROVIDING THE SAME ANESTHE-
12 SIOLOGY SERVICES. THE TERM "CERTIFIED REGISTERED NURSE ANESTHETIST" AS
13 USED IN THIS PARAGRAPH SHALL MEAN A PERSON WHO HAS SATISFACTORILY
14 COMPLETED EDUCATIONAL PREPARATION FOR PROVISION OF THESE SERVICES IN A
15 PROGRAM REGISTERED BY THE DEPARTMENT OF EDUCATION OR IN A PROGRAM
16 ACCREDITED BY A NATIONAL BODY RECOGNIZED BY THE DEPARTMENT OF EDUCATION
17 OR DETERMINED BY THE DEPARTMENT OF EDUCATION TO BE THE EQUIVALENT; AND
18 SUBMIT EVIDENCE OF CURRENT CERTIFICATION OR RECERTIFICATION BY A
19 NATIONAL CERTIFYING BODY, RECOGNIZED BY THE DEPARTMENT OF EDUCATION.

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

LBD11840-05-2

1 S 2. Subsection (1) of section 3221 of the insurance law is amended by
2 adding a new paragraph 19 to read as follows:

3 (19) AT THE DISCRETION OF THE INSURER, ANESTHESIA SERVICES PROVIDED BY
4 A CERTIFIED REGISTERED NURSE ANESTHETIST MAY BE ELIGIBLE FOR REIMBURSE-
5 MENT UNDER ANY POLICY WHICH PROVIDES FOR COVERAGE FOR ANESTHESIA
6 SERVICES. PROVIDED HOWEVER, THAT NOTHING CONTAINED HEREIN SHALL BE
7 CONSTRUED TO REQUIRE AN INSURER TO REIMBURSE BOTH A PHYSICIAN AND A
8 CERTIFIED REGISTERED NURSE ANESTHETIST FOR PROVIDING THE SAME ANESTHE-
9 SIOLOGY SERVICES. THE TERM "CERTIFIED REGISTERED NURSE ANESTHETIST" AS
10 USED IN THIS PARAGRAPH SHALL MEAN A PERSON WHO HAS SATISFACTORILY
11 COMPLETED EDUCATIONAL PREPARATION FOR PROVISION OF THESE SERVICES IN A
12 PROGRAM REGISTERED BY THE DEPARTMENT OF EDUCATION OR IN A PROGRAM
13 ACCREDITED BY A NATIONAL BODY RECOGNIZED BY THE DEPARTMENT OF EDUCATION
14 OR DETERMINED BY THE DEPARTMENT OF EDUCATION TO BE THE EQUIVALENT; AND
15 SUBMIT EVIDENCE OF CURRENT CERTIFICATION OR RECERTIFICATION BY A
16 NATIONAL CERTIFYING BODY, RECOGNIZED BY THE DEPARTMENT OF EDUCATION.

17 S 3. Subsections (gg) and (hh) of section 4303 of the insurance law,
18 subsection (gg) as added by chapter 536 of the laws of 2010 and
19 subsection (hh) as added by chapter 589 of the laws of 2011, are renum-
20 bered subsections (ii) and (jj) respectively and a new subsection (kk)
21 is added to read as follows:

22 (KK) AT THE DISCRETION OF THE INSURER, ANESTHESIA SERVICES PROVIDED BY
23 A CERTIFIED REGISTERED NURSE ANESTHETIST MAY BE ELIGIBLE FOR REIMBURSE-
24 MENT UNDER ANY POLICY WHICH PROVIDES FOR COVERAGE FOR ANESTHESIA
25 SERVICES. PROVIDED HOWEVER, THAT NOTHING CONTAINED HEREIN SHALL BE
26 CONSTRUED TO REQUIRE AN INSURER TO REIMBURSE BOTH A PHYSICIAN AND A
27 CERTIFIED REGISTERED NURSE ANESTHETIST FOR PROVIDING THE SAME ANESTHE-
28 SIOLOGY SERVICES. THE TERM "CERTIFIED REGISTERED NURSE ANESTHETIST" AS
29 USED IN THIS SUBSECTION SHALL MEAN A PERSON WHO HAS SATISFACTORILY
30 COMPLETED EDUCATIONAL PREPARATION FOR PROVISION OF THESE SERVICES IN A
31 PROGRAM REGISTERED BY THE DEPARTMENT OF EDUCATION OR IN A PROGRAM
32 ACCREDITED BY A NATIONAL BODY RECOGNIZED BY THE DEPARTMENT OF EDUCATION
33 OR DETERMINED BY THE DEPARTMENT OF EDUCATION TO BE THE EQUIVALENT; AND
34 SUBMIT EVIDENCE OF CURRENT CERTIFICATION OR RECERTIFICATION BY A
35 NATIONAL CERTIFYING BODY, RECOGNIZED BY THE DEPARTMENT OF EDUCATION.

36 S 4. This act shall take effect January 1, 2013 and shall apply to
37 policies and contracts issued, renewed, modified, altered or amended on
38 or after such effective date.