

2311

2011-2012 Regular Sessions

I N S E N A T E

January 18, 2011

Introduced by Sen. KRUGER -- 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 reimbursement for Tay-Sachs testing

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 28 to read as follows:

3 (28) (A) EVERY POLICY WHICH PROVIDES COVERAGE FOR HOSPITAL, SURGICAL
4 OR MEDICAL CARE OR PROVIDES REIMBURSEMENT FOR LABORATORY TESTS OR
5 REIMBURSEMENT FOR DIAGNOSTIC X-RAY SERVICES SHALL PROVIDE COVERAGE FOR
6 TAY-SACHS TESTING.

7 (B) SUCH COVERAGE SHALL BE INCLUDED AT THE INCEPTION OF ALL NEW POLI-
8 CIES AND, WITH RESPECT TO ALL OTHER POLICIES, AT ANY ANNIVERSARY DATE OF
9 THE POLICY SUBJECT TO EVIDENCE OF INSURABILITY.

10 (C) FOR PURPOSES OF THIS PARAGRAPH, IN ORDER TO MAINTAIN THE CONFIDEN-
11 TIALITY OF PERSONS TESTED, RECEIPT OF AN ACKNOWLEDGMENT FROM THE LABORA-
12 TORY PERFORMING THE TAY-SACHS TEST SHALL BE DEEMED SUFFICIENT EVIDENCE
13 OF THE PERFORMANCE OF SUCH TESTING.

14 (D) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND CO-INSU-
15 RANCE AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE
16 CONSISTENT WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN
17 POLICY.

18 S 2. Subsection (l) of section 3221 of the insurance law is amended by
19 adding a new paragraph 18 to read as follows:

20 (18) (A) A GROUP POLICY WHICH PROVIDES COVERAGE FOR HOSPITAL, SURGICAL
21 OR MEDICAL CARE OR PROVIDES REIMBURSEMENT FOR LABORATORY TESTS OR
22 REIMBURSEMENT FOR DIAGNOSTIC X-RAY SERVICES SHALL PROVIDE COVERAGE FOR
23 TAY-SACHS TESTING.

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

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1 (B) SUCH COVERAGE SHALL BE INCLUDED AT THE INCEPTION OF ALL NEW POLI-
2 CIES AND, WITH RESPECT TO ALL OTHER POLICIES, AT ANY ANNIVERSARY DATE OF
3 THE POLICY SUBJECT TO EVIDENCE OF INSURABILITY.

4 (C) FOR PURPOSES OF THIS PARAGRAPH, IN ORDER TO MAINTAIN THE CONFIDEN-
5 TIALITY OF PERSONS TESTED, RECEIPT OF AN ACKNOWLEDGMENT FROM THE LABORA-
6 TORY PERFORMING THE TAY-SACHS TEST SHALL BE DEEMED SUFFICIENT EVIDENCE
7 OF THE PERFORMANCE OF SUCH TESTING.

8 (D) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND CO-INSU-
9 RANCE AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE
10 CONSISTENT WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN
11 POLICY.

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

14 (HH) (1) A MEDICAL EXPENSE INDEMNITY CORPORATION, A HOSPITAL SERVICE
15 CORPORATION OR A HEALTH SERVICE CORPORATION WHICH PROVIDES COVERAGE FOR
16 HOSPITAL, SURGICAL OR MEDICAL CARE OR PROVIDES REIMBURSEMENT FOR LABORA-
17 TORY TESTS OR REIMBURSEMENT FOR DIAGNOSTIC X-RAY SERVICES SHALL PROVIDE
18 COVERAGE FOR TAY-SACHS TESTING.

19 (2) SUCH COVERAGE SHALL BE INCLUDED AT THE INCEPTION OF ALL NEW POLI-
20 CIES AND, WITH RESPECT TO ALL OTHER POLICIES, AT ANY ANNIVERSARY DATE OF
21 THE POLICY SUBJECT TO EVIDENCE OF INSURABILITY.

22 (3) FOR PURPOSES OF THIS SUBSECTION, IN ORDER TO MAINTAIN THE CONFIDEN-
23 TIALITY OF PERSONS TESTED, RECEIPT OF AN ACKNOWLEDGMENT FROM THE
24 LABORATORY PERFORMING THE TAY-SACHS TEST SHALL BE DEEMED SUFFICIENT
25 EVIDENCE OF THE PERFORMANCE OF SUCH TESTING.

26 (4) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND CO-INSU-
27 RANCE AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE
28 CONSISTENT WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN
29 POLICY.

30 S 4. This act shall take effect immediately.