

6603

I N S E N A T E

March 2, 2012

Introduced by Sen. STAVISKY -- 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 coverage for cervical cytology screening for insureds by certain corporations and insurance policies

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

1 Section 1. Subparagraph (A) of paragraph 15 of subsection (i) of
2 section 3216 of the insurance law, as amended by chapter 219 of the laws
3 of 2011, is amended to read as follows:
4 (A) Every policy that provides hospital, surgical or medical care
5 coverage or provides reimbursement for laboratory tests or reimbursement
6 for diagnostic X-ray services shall provide coverage for [an annual]
7 cervical cytology screening for cervical cancer and its precursor states
8 [for women aged eighteen and older] ACCORDING TO THE FOLLOWING: (I) FOR
9 WOMEN YOUNGER THAN THIRTY YEARS, AT LEAST ONCE EVERY TWO YEARS; (II) FOR
10 WOMEN AGED THIRTY YEARS AND OLDER WHO HAVE HAD THREE CONSECUTIVE CERVI-
11 CAL CYTOLOGY TEST RESULTS THAT ARE SATISFACTORY AND NEGATIVE FOR
12 INTRAEPITHELIAL LESIONS AND MALIGNANCY, AT LEAST ONCE EVERY THREE YEARS;
13 AND (III) FOR OTHER WOMEN AGED THIRTY YEARS AND OLDER, AND FOR WOMEN
14 WITH RISK FACTORS THAT REQUIRE MORE FREQUENT SCREENING IN THE REASONABLE
15 MEDICAL JUDGMENT OF THEIR ATTENDING HEALTH CARE PROFESSIONAL, AS DETER-
16 MINED BY THAT HEALTH CARE PROFESSIONAL.
17 S 2. Subparagraph (A) of paragraph 14 of subsection (l) of section
18 3221 of the insurance law, as amended by chapter 219 of the laws of
19 2011, is amended to read as follows:
20 (A) Every group or blanket policy delivered or issued for delivery in
21 this state that provides hospital, surgical or medical coverage shall
22 provide coverage for [an annual] cervical cytology screening for cervi-
23 cal cancer and its precursor states [for women aged eighteen and older]
24 ACCORDING TO THE FOLLOWING: (I) FOR WOMEN YOUNGER THAN THIRTY YEARS, AT
25 LEAST ONCE EVERY TWO YEARS; (II) FOR WOMEN AGED THIRTY YEARS AND OLDER
26 WHO HAVE HAD THREE CONSECUTIVE CERVICAL CYTOLOGY TEST RESULTS THAT ARE
27 SATISFACTORY AND NEGATIVE FOR INTRAEPITHELIAL LESIONS AND MALIGNANCY, AT

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

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1 LEAST ONCE EVERY THREE YEARS; AND (III) FOR OTHER WOMEN AGED THIRTY
2 YEARS AND OLDER, AND FOR WOMEN WITH RISK FACTORS THAT REQUIRE MORE
3 FREQUENT SCREENING IN THE REASONABLE MEDICAL JUDGMENT OF THEIR ATTENDING
4 HEALTH CARE PROFESSIONAL, AS DETERMINED BY THAT HEALTH CARE
5 PROFESSIONAL.

6 S 3. Paragraph 1 of subsection (t) of section 4303 of the insurance
7 law, as amended by chapter 219 of the laws of 2011, is amended to read
8 as follows:

9 (1) A medical expense indemnity corporation, a hospital service corpo-
10 ration or a health service corporation that provides coverage for hospi-
11 tal, surgical, or medical care shall provide coverage for [an annual]
12 cervical cytology screening for cervical cancer and its precursor states
13 ACCORDING TO THE FOLLOWING: (I) for women [aged eighteen and older]
14 YOUNGER THAN THIRTY YEARS, AT LEAST ONCE EVERY TWO YEARS; (II) FOR WOMEN
15 AGED THIRTY YEARS OR OLDER WHO HAVE HAD THREE CONSECUTIVE CERVICAL
16 CYTOLOGY TEST RESULTS THAT ARE SATISFACTORY AND NEGATIVE FOR INTRAEP-
17 ITHELIAL LESIONS AND MALIGNANCY AT LEAST ONCE EVERY THREE YEARS; AND
18 (III) FOR OTHER WOMEN AGED THIRTY YEARS AND OLDER, AND FOR WOMEN WITH
19 RISK FACTORS THAT REQUIRE MORE FREQUENT SCREENING IN THE REASONABLE
20 MEDICAL JUDGMENT OF THEIR ATTENDING HEALTH CARE PROFESSIONAL, AS DETER-
21 MINED BY THAT HEALTH CARE PROFESSIONAL. Such coverage required by this
22 paragraph may be subject to annual deductibles and coinsurance as may be
23 deemed appropriate by the superintendent and as are consistent with
24 those established for other benefits within a given contract.

25 S 4. This act shall take effect on the first of January next succeed-
26 ing the date on which it shall have become law and shall apply to all
27 policies issued, renewed, modified or altered on or after such date.