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

7334

I N S E N A T E

May 2, 2012

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

AN ACT to amend the insurance law and the public health law, in relation to health maintenance organization benefit designs

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

Section 1. Subsection (e) of section 1109 of the insurance law is amended to read as follows:

(e) The superintendent may promulgate regulations in effectuating the purposes and provisions of this chapter and article forty-four of the public health law and may modify requirements applicable to the contracts between a health maintenance organization and its subscribers, INCLUDING CONTRACTS WITH BENEFIT DESIGNS PURSUANT TO SUBDIVISION SIX OF SECTION FORTY-FOUR HUNDRED SIX OF THE PUBLIC HEALTH LAW, subject to such limitations as the superintendent shall deem necessary or proper to insure the performance of such contracts.

S 2. Section 4406 of the public health law is amended by adding a new subdivision 6 to read as follows:

6. NOTWITHSTANDING ANY STATE LAW, RULE OR REGULATION TO THE CONTRARY, AN ORGANIZATION CERTIFIED PURSUANT TO THIS ARTICLE IS AUTHORIZED TO ISSUE CONTRACTS WITH BENEFIT DESIGNS, INCLUDING DEDUCTIBLES, COINSURANCE AND COPAYMENTS, THAT HAVE ACTUARIAL VALUATIONS OF NINETY PERCENT, EIGHTY PERCENT, SEVENTY PERCENT AND SIXTY PERCENT.

S 3. This act shall take effect January 1, 2013, and shall apply to policies and contracts issued, renewed, modified, altered or amended on or after such date.

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

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