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

158

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. CAHILL, JACOBS -- Multi-Sponsored by -- M. of A. BRENNAN, COOK, MAYERSOHN, MILLMAN, PAULIN, PHEFFER, WEISENBERG -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to access to recorded personal medical information

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

Section 1. The insurance law is amended by adding a new section 323 to read as follows:

S 323. ACCESS TO PERSONAL MEDICAL INFORMATION. IF AN INDIVIDUAL, AFTER PROPER IDENTIFICATION, SUBMITS A WRITTEN REQUEST TO AN INSURANCE INSTITUTION, AGENT, OR INSURANCE-SUPPORT ORGANIZATION FOR ACCESS TO RECORDED PERSONAL MEDICAL INFORMATION ABOUT THE INDIVIDUAL WHICH INFORMATION IS REASONABLY DESCRIBED BY THE INDIVIDUAL, THE INSURANCE INSTITUTION, AGENT OR INSURANCE-SUPPORT ORGANIZATION MAY CHARGE A REASONABLE FEE, NOT TO EXCEED ONE DOLLAR PER PAGE, TO BE PAID BY THE PERSON MAKING SUCH REQUEST TO COVER THE COSTS INCURRED IN PROVIDING A COPY OF THE RECORDED PERSONAL MEDICAL INFORMATION TO SUCH INDIVIDUAL.

S 2. This act shall take effect on the first of September next succeeding the date on which it shall have become a law.

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

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