

3387--A

2011-2012 Regular Sessions

I N A S S E M B L Y

January 25, 2011

Introduced by M. of A. CYMBROWITZ, PHEFFER, REILLY, ABBATE -- Multi-Sponsored by -- M. of A. BRENNAN, ROBINSON -- read once and referred to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to allowing victims of domestic violence the opportunity to designate an alternate address for health insurance claims or billing purposes

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

1 Section 1. Section 2612 of the insurance law is amended by adding a
2 new subsection (h) to read as follows:
3 (H) NOTWITHSTANDING THE DEFINITIONS ESTABLISHED IN PARAGRAPHS TWO AND
4 THREE OF SUBSECTION (C) OF THIS SECTION, EVERY INSURER, CORPORATION,
5 ORGANIZATION AND PROVIDER WHICH ISSUES A POLICY OR CONTRACT PURSUANT TO
6 ARTICLE THIRTY-TWO OR FORTY-THREE OF THIS CHAPTER OR ARTICLE FORTY-FOUR
7 OF THE PUBLIC HEALTH LAW SHALL PROVIDE ANY INSURED, SUBSCRIBER OR
8 COVERED PERSON WHO IS A VICTIM OF DOMESTIC VIOLENCE, UPON WRITTEN
9 REQUEST OF SUCH INSURED, SUBSCRIBER OR COVERED PERSON, WITH THE OPTION
10 TO DESIGNATE AN ALTERNATIVE MAILING ADDRESS, TELEPHONE NUMBER OR OTHER
11 CONTACT INFORMATION FOR THE PURPOSE OF RECEIVING SPECIFIC CLAIM INFORMA-
12 TION OR FOR SPECIFIC BILLING PURPOSES RELATING SPECIFICALLY TO SUCH
13 INSURED, SUBSCRIBER OR COVERED PERSON. SUCH REQUESTED DESIGNATION SHALL
14 BE GRANTED UPON THE WRITTEN ATTESTATION OF THE INSURED, SUBSCRIBER OR
15 COVERED PERSON THAT HE OR SHE IS A VICTIM OF DOMESTIC VIOLENCE AND THE
16 DISCLOSURE OF SUCH INFORMATION WOULD ENDANGER HIM OR HER. IF A CHILD IS
17 THE COVERED PERSON, THE RIGHT ESTABLISHED BY THIS SUBSECTION MAY BE
18 ASSERTED BY, AND SHALL EXTEND TO, THE PARENT OR GUARDIAN OF THE CHILD.
19 THE SUPERINTENDENT, IN CONSULTATION WITH THE COMMISSIONER OF HEALTH, THE
20 OFFICE OF CHILDREN AND FAMILY SERVICES AND THE OFFICE FOR THE PREVENTION
21 OF DOMESTIC VIOLENCE, SHALL PROMULGATE RULES TO GUIDE AND ENABLE SUCH
22 INSURERS, CORPORATIONS, ORGANIZATIONS AND PROVIDERS TO GUARD AGAINST THE

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

LBD04851-03-1

1 DISCLOSURE OF THE ADDRESS AND LOCATION OF AN INSURED, SUBSCRIBER OR
2 COVERED PERSON WHO IS THE VICTIM OF DOMESTIC VIOLENCE.

3 S 2. This act shall take effect on the first of January next succeed-
4 ing the date on which it shall have become a law and shall apply to all
5 policies and contracts issued, renewed, altered or modified on or after
6 such effective date.