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

406

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. CROUCH -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to removing certain technical provisions related to air-borne emergency transit

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

Section 1. Subparagraph (A) of paragraph 5 of subsection (aa) of section 4303 of the insurance law, as added by chapter 506 of the laws of 2001, is amended to read as follows:

(A) "Prehospital emergency medical services" means the prompt evaluation and treatment of an emergency medical condition, and/or [non-air-borne] transportation of the patient to a hospital; provided however, where the patient utilizes non-air-borne emergency transportation pursuant to this subsection, reimbursement will be based on whether a prudent layperson, possessing an average knowledge of medicine and health, could reasonably expect the absence of such transportation to result in (i) placing the health of the person afflicted with such condition in serious jeopardy, or in the case of a behavioral condition placing the health of such person or others in serious jeopardy; (ii) serious impairment to such person's bodily functions; (iii) serious dysfunction of any bodily organ or part of such person; or (iv) serious disfigurement of such person.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall only be applicable to contracts issued, modified or renewed on or after such effective date.

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

LBD05263-01-1