

4098

2011-2012 Regular Sessions

I N A S S E M B L Y

February 1, 2011

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

AN ACT to amend the insurance law, in relation to pre-existing condition provisions for group and blanket disability policies

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

1 Section 1. Subsection (b) of section 3234 of the insurance law, as
2 added by chapter 650 of the laws of 1993, is amended to read as follows:
3 (b) AN INSURER THAT OFFERS A POLICY IN CONFORMANCE WITH PARAGRAPH TWO
4 OF SUBSECTION (A) OF THIS SECTION MUST ALSO MAKE AVAILABLE, AND IF
5 REQUESTED BY THE POLICYHOLDER, PROVIDE A GROUP OR BLANKET POLICY WITH A
6 PRE-EXISTING CONDITION PROVISION WHICH EXCLUDES COVERAGE UNDER THE POLI-
7 CY FOR A DISABILITY COMMENCING DURING THE TWELVE MONTHS FOLLOWING THE
8 EFFECTIVE DATE OF COVERAGE FOR THE COVERED PERSON.
9 (C) Nothing [herein] IN THIS SECTION shall be construed to prohibit or
10 restrict an insurer from utilizing other forms of underwriting for the
11 members of the group in lieu of, or in addition to, the pre-existing
12 condition provision described in subsection (a) OR (B) of this section.
13 S 2. This act shall take effect immediately.

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

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