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

6271

2011-2012 Regular Sessions

I N A S S E M B L Y

March 11, 2011

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

AN ACT to amend the insurance law, in relation to health insurance coverage for clinical laboratory services

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

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 28 to read as follows:

(28) NO SUCH POLICY SHALL LIMIT OR DENY REIMBURSEMENT FOR BENEFITS TO ANY INSURED ON THE BASIS THAT A LABORATORY PROVIDING CLINICAL LABORATORY SERVICES IS AN OUT-OF-NETWORK PROVIDER, IF AN IN-NETWORK HEALTH CARE PROVIDER DIRECTS SPECIMENS RETRIEVED BY SUCH HEALTH CARE PROVIDER TO SUCH OUT-OF-NETWORK LABORATORY OR SUCH HEALTH CARE PROVIDER DIRECTS THE INSURED TO SUCH OUT-OF-NETWORK LABORATORY FOR CLINICAL LABORATORY SERVICES. NO SUCH POLICY SHALL PROHIBIT A DULY REGISTERED LABORATORY FROM PROVIDING SERVICES, PROVIDED SUCH LABORATORY AGREES TO PROVIDE SUCH SERVICES IN ACCORDANCE WITH THE MINIMUM STANDARDS AND CONDITIONS FOR SIMILAR PROVIDERS THAT HAVE BEEN ESTABLISHED BY SUCH POLICY.

S 2. Subsection (e) of section 3221 of the insurance law is amended by adding a new paragraph 12 to read as follows:

(12) NO SUCH GROUP OR BLANKET POLICY SHALL LIMIT OR DENY REIMBURSEMENT FOR BENEFITS TO ANY INSURED ON THE BASIS THAT A LABORATORY PROVIDING CLINICAL LABORATORY SERVICES IS AN OUT-OF-NETWORK PROVIDER, IF AN IN-NETWORK HEALTH CARE PROVIDER DIRECTS SPECIMENS RETRIEVED BY SUCH HEALTH CARE PROVIDER TO SUCH OUT-OF-NETWORK LABORATORY OR SUCH HEALTH CARE PROVIDER DIRECTS THE INSURED TO SUCH OUT-OF-NETWORK LABORATORY FOR CLINICAL LABORATORY SERVICES. NO SUCH GROUP OR BLANKET POLICY SHALL PROHIBIT A DULY REGISTERED LABORATORY FROM PROVIDING SERVICES, PROVIDED SUCH LABORATORY AGREES TO PROVIDE SUCH SERVICES IN ACCORDANCE WITH THE MINIMUM STANDARDS AND CONDITIONS FOR SIMILAR PROVIDERS THAT HAVE BEEN ESTABLISHED BY SUCH GROUP OR BLANKET POLICY.

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

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S 3. Section 4303 of the insurance law is amended by adding a new subsection (hh) to read as follows:

(HH) NO SUCH POLICY ISSUED BY A THIRD PARTY BENEFIT PROGRAM SHALL LIMIT OR DENY REIMBURSEMENT FOR BENEFITS TO ANY INSURED ON THE BASIS THAT A LABORATORY PROVIDING CLINICAL LABORATORY SERVICES IS AN OUT-OF-NETWORK PROVIDER, IF AN IN-NETWORK HEALTH CARE PROVIDER DIRECTS SPECIMENS RETRIEVED BY SUCH HEALTH CARE PROVIDER TO SUCH OUT-OF-NETWORK LABORATORY OR SUCH HEALTH CARE PROVIDER DIRECTS THE INSURED TO SUCH OUT-OF-NETWORK LABORATORY FOR CLINICAL LABORATORY SERVICES. NO SUCH THIRD PARTY BENEFIT PROGRAM SHALL PROHIBIT A DULY REGISTERED LABORATORY FROM PROVIDING SERVICES, PROVIDED SUCH LABORATORY AGREES TO PROVIDE SUCH SERVICES IN ACCORDANCE WITH THE MINIMUM STANDARDS AND CONDITIONS FOR SIMILAR PROVIDERS THAT HAVE BEEN ESTABLISHED BY SUCH THIRD PARTY BENEFIT PROGRAM.

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