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

9578

I N A S S E M B L Y

March 16, 2012

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

AN ACT to amend the insurance law, in relation to annual physicals and well care visits

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 29 to read as follows:

(29) EVERY INDIVIDUAL POLICY WHICH PROVIDES MEDICAL, MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE THAT INCLUDES COVERAGE FOR A PHYSICAL OR WELL CARE VISIT ONCE IN EVERY THREE HUNDRED SIXTY-FIVE DAYS SHALL BE INTERPRETED TO MEAN THAT SUCH PHYSICAL OR WELL CARE VISIT CAN BE HAD ONCE EVERY CALENDAR YEAR, REGARDLESS OF WHETHER OR NOT A PERIOD OF THREE HUNDRED SIXTY-FIVE DAYS HAS PASSED SINCE THE PREVIOUS PHYSICAL OR WELL CARE VISIT.

S 2. Subsection (k) of section 3221 of the insurance law is amended by adding a new paragraph 18 to read as follows:

(18) EVERY GROUP OR BLANKET POLICY WHICH PROVIDES MEDICAL, MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE THAT INCLUDES COVERAGE FOR A PHYSICAL OR WELL CARE VISIT ONCE IN EVERY THREE HUNDRED SIXTY-FIVE DAYS SHALL BE INTERPRETED TO MEAN THAT SUCH PHYSICAL OR WELL CARE VISIT CAN BE HAD ONCE EVERY CALENDAR YEAR, REGARDLESS OF WHETHER OR NOT A PERIOD OF THREE HUNDRED SIXTY-FIVE DAYS HAS PASSED SINCE THE PREVIOUS PHYSICAL OR WELL CARE VISIT.

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

(II) EVERY CONTRACT ISSUED BY A CORPORATION SUBJECT TO THE PROVISIONS OF THIS ARTICLE WHICH PROVIDES MEDICAL, MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE THAT INCLUDES COVERAGE FOR A PHYSICAL OR WELL CARE VISIT ONCE IN EVERY THREE HUNDRED SIXTY-FIVE DAYS SHALL BE INTERPRETED TO MEAN THAT SUCH PHYSICAL OR WELL CARE VISIT CAN BE HAD ONCE EVERY CALENDAR YEAR, REGARDLESS OF WHETHER OR NOT A PERIOD OF THREE HUNDRED SIXTY-FIVE DAYS HAS PASSED SINCE THE PREVIOUS PHYSICAL OR WELL CARE VISIT.

S 4. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to policies and contracts issued, renewed, modified, altered or amended on or after such date.

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

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