

3833

2011-2012 Regular Sessions

I N S E N A T E

March 7, 2011

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to coverage of hysterectomies

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

- 1 Section 1. Subsection (i) of section 3216 of the insurance law is
2 amended by adding a new paragraph 28 to read as follows:
3 (28) (A) EVERY POLICY WHICH PROVIDES HOSPITAL, SURGICAL OR MEDICAL
4 COVERAGE, OR SIMILAR COMPREHENSIVE TYPE COVERAGE, SHALL PROVIDE COVERAGE
5 FOR ALL COST FOR HYSTERECTOMIES. SUCH COVERAGE SHALL INCLUDE INPATIENT
6 HOSPITAL COVERAGE FOR A MINIMUM PERIOD OF SEVENTY-TWO HOURS AFTER
7 SURGERY.
8 (B) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE
9 AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE CONSISTENT
10 WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN POLICY.
11 (C) COVERAGE UNDER THIS PARAGRAPH SHALL NOT RESTRICT OR ELIMINATE
12 EXISTING COVERAGE PROVIDED BY THE POLICY AND NOTHING IN THIS PARAGRAPH
13 SHALL BE CONSTRUED TO DENY OR RESTRICT IN ANY WAY ANY EXISTING RIGHT OR
14 BENEFIT PROVIDED UNDER LAW OR BY CONTRACT.
15 S 2. Subsection (l) of section 3221 of the insurance law is amended by
16 adding a new paragraph 18 to read as follows:
17 (18) (A) EVERY GROUP OR BLANKET POLICY DELIVERED OR ISSUED FOR DELIV-
18 ERY IN THIS STATE WHICH PROVIDES HOSPITAL, SURGICAL OR MEDICAL COVERAGE,
19 OR SIMILAR COMPREHENSIVE TYPE COVERAGE, SHALL PROVIDE COVERAGE FOR ALL
20 COST FOR HYSTERECTOMIES. SUCH COVERAGE SHALL INCLUDE INPATIENT HOSPITAL
21 COVERAGE FOR A MINIMUM PERIOD OF SEVENTY-TWO HOURS AFTER SURGERY.
22 (B) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE
23 AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE CONSISTENT
24 WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN POLICY.

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

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1 (C) COVERAGE UNDER THIS PARAGRAPH SHALL NOT RESTRICT OR ELIMINATE
2 EXISTING COVERAGE PROVIDED BY THE POLICY AND NOTHING IN THIS PARAGRAPH
3 SHALL BE CONSTRUED TO DENY OR RESTRICT IN ANY WAY ANY EXISTING RIGHT OR
4 BENEFIT PROVIDED UNDER LAW OR BY CONTRACT.

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

7 (HH) 1. EVERY MEDICAL EXPENSE INDEMNITY CORPORATION, HOSPITAL SERVICE
8 CORPORATION AND HEALTH SERVICE CORPORATION WHICH PROVIDES HOSPITAL,
9 SURGICAL OR MEDICAL COVERAGE, OR SIMILAR COMPREHENSIVE TYPE COVERAGE,
10 SHALL PROVIDE COVERAGE FOR ALL COST FOR HYSTERECTOMIES. SUCH COVERAGE
11 SHALL INCLUDE INPATIENT HOSPITAL COVERAGE FOR A MINIMUM PERIOD OF SEVEN-
12 TY-TWO HOURS AFTER SURGERY.

13 2. SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE
14 AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE CONSISTENT
15 WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN POLICY.

16 3. COVERAGE UNDER THIS SUBSECTION SHALL NOT RESTRICT OR ELIMINATE
17 EXISTING COVERAGE PROVIDED BY THE POLICY AND NOTHING IN THIS PARAGRAPH
18 SHALL BE CONSTRUED TO DENY OR RESTRICT IN ANY WAY ANY EXISTING RIGHT OR
19 BENEFIT PROVIDED UNDER LAW OR BY CONTRACT.

20 S 4. This act shall take effect on the one hundred twentieth day after
21 it shall have become a law and shall apply to all policies entered into
22 or renewed on and after such effective date.