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

1090--B

2013-2014 Regular Sessions

I N  A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. HEASTIE, DINOWITZ, CRESPO, ROBERTS, WEPRIN, McDONALD -- read once and referred to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to requiring insurance coverage for the influenza vaccine in certain circumstances

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 17-a to read as follows:

(17-A) EVERY POLICY DELIVERED OR ISSUED FOR DELIVERY IN THIS STATE THAT PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR COMPREHENSIVE-TYPE COVERAGE AND PROVIDES COVERAGE FOR IMMUNIZING AGENTS TO PREVENT INFLUENZA SHALL PROVIDE COVERAGE FOR INFLUENZA VACCINE AND ITS ADMINISTRATION WHEN SUCH VACCINE IS ADMINISTERED IN AN ELEMENTARY OR SECONDARY SCHOOL. COVERAGE SHALL BE PROVIDED FOR IMMUNIZING AGENTS TO PREVENT INFLUENZA THAT ARE PRESCRIBED AND ADMINISTERED IN ACCORDANCE WITH STANDARDS AND REQUIREMENTS SET FORTH IN THE EDUCATION LAW OR ANY OTHER APPLICABLE LAW OR RULE.

S 2. Subsection (l) of section 3221 of the insurance law is amended by adding a new paragraph 8-a to read as follows:

(8-A) EVERY GROUP OR BLANKET POLICY DELIVERED OR ISSUED FOR DELIVERY IN THIS STATE THAT PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR COMPREHENSIVE-TYPE COVERAGE AND PROVIDES COVERAGE FOR IMMUNIZING AGENTS TO PREVENT INFLUENZA SHALL PROVIDE COVERAGE FOR INFLUENZA VACCINE AND ITS ADMINISTRATION WHEN SUCH VACCINE IS ADMINISTERED IN AN ELEMENTARY OR SECONDARY SCHOOL. COVERAGE SHALL BE PROVIDED FOR IMMUNIZING AGENTS TO PREVENT INFLUENZA THAT ARE PRESCRIBED AND ADMINISTERED IN ACCORDANCE

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

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WITH STANDARDS AND REQUIREMENTS SET FORTH IN THE EDUCATION LAW OR ANY OTHER APPLICABLE LAW OR RULE.

S 3. Section 4303 of the insurance law is amended by adding a new subsection (k-1) to read as follows:

(K-1) EVERY POLICY ISSUED BY A MEDICAL EXPENSE INDEMNITY CORPORATION, A HOSPITAL SERVICE CORPORATION OR A HEALTH SERVICE CORPORATION FOR DELIVERY IN THIS STATE THAT PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR COMPREHENSIVE-TYPE COVERAGE FOR IMMUNIZING AGENTS TO PREVENT INFLUENZA SHALL PROVIDE COVERAGE FOR INFLUENZA VACCINE AND ITS ADMINISTRATION WHEN SUCH VACCINE IS ADMINISTERED IN AN ELEMENTARY OR SECONDARY SCHOOL. COVERAGE SHALL BE PROVIDED FOR IMMUNIZING AGENTS TO PREVENT INFLUENZA THAT ARE PRESCRIBED AND ADMINISTERED IN ACCORDANCE WITH STANDARDS AND REQUIREMENTS SET FORTH IN THE EDUCATION LAW OR ANY OTHER APPLICABLE LAW OR RULE.

S 4. This act shall take effect on the sixtieth day after it shall have become a law.