

8137--A

2013-2014 Regular Sessions

I N A S S E M B L Y

August 30, 2013

Introduced by M. of A. MAGNARELLI, GUNTHER, ZEBROWSKI, OTIS, PAULIN, FINCH, LIFTON, STIRPE, ABINANTI, McDONALD, COOK, STECK, BUCHWALD, SKOUFIS, ROSENTHAL -- Multi-Sponsored by -- M. of A. CLARK, CURRAN, CYMBROWITZ, FAHY, GALEF, JACOBS, McDONOUGH, McKEVITT, MOSLEY, NOLAN, PERRY, RIVERA, SCHIMEL, WALTER, WEISENBERG -- read once and referred to the Committee on Insurance -- recommitted to the Committee on Insurance in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to authorizing insurance coverage for equipment and supplies used for the treatment of ostomies

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 30 to read as follows:
3 (30) EVERY POLICY WHICH PROVIDES MEDICAL COVERAGE THAT INCLUDES COVER-
4 AGE FOR PHYSICIAN SERVICES IN A PHYSICIAN'S OFFICE AND EVERY POLICY
5 WHICH PROVIDES MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE
6 SHALL INCLUDE COVERAGE FOR THE FOLLOWING EQUIPMENT AND SUPPLIES USED FOR
7 THE TREATMENT OF OSTOMIES, IF RECOMMENDED OR PRESCRIBED BY A PHYSICIAN
8 OR OTHER LICENSED HEALTH CARE PROVIDER LEGALLY AUTHORIZED TO PRESCRIBE
9 UNDER TITLE EIGHT OF THE EDUCATION LAW: FLANGES, COLLECTION BAGS,
10 CLAMPS, IRRIGATION DEVICES, SANITIZING PRODUCTS, OSTOMY RINGS AND OSTOMY
11 BELTS. IN ADDITION, THE COMMISSIONER OF THE DEPARTMENT OF HEALTH SHALL
12 PROVIDE AND PERIODICALLY UPDATE BY RULE OR REGULATION A LIST OF ADDI-
13 TIONAL OSTOMY EQUIPMENT AND RELATED SUPPLIES SUCH AS ARE MEDICALLY
14 NECESSARY FOR THE TREATMENT OF OSTOMIES FOR WHICH THERE SHALL ALSO BE
15 COVERAGE.
16 S 2. Subsection (k) of section 3221 of the insurance law is amended by
17 adding a new paragraph 19 to read as follows:

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

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1 (19) EVERY GROUP OR BLANKET ACCIDENT AND HEALTH INSURANCE POLICY
2 ISSUED OR ISSUED FOR DELIVERY IN THIS STATE WHICH PROVIDES MEDICAL
3 COVERAGE THAT INCLUDES COVERAGE FOR PHYSICIAN SERVICES IN A PHYSICIAN'S
4 OFFICE AND EVERY POLICY WHICH PROVIDES MAJOR MEDICAL OR SIMILAR COMPRE-
5 HENSIVE-TYPE COVERAGE SHALL INCLUDE COVERAGE FOR THE FOLLOWING EQUIPMENT
6 AND SUPPLIES USED FOR THE TREATMENT OF OSTOMIES, IF RECOMMENDED OR
7 PRESCRIBED BY A PHYSICIAN OR OTHER LICENSED HEALTH CARE PROVIDER LEGALLY
8 AUTHORIZED TO PRESCRIBE UNDER TITLE EIGHT OF THE EDUCATION LAW: FLANGES,
9 COLLECTION BAGS, CLAMPS, IRRIGATION DEVICES, SANITIZING PRODUCTS, OSTOMY
10 RINGS AND OSTOMY BELTS. IN ADDITION, THE COMMISSIONER OF THE DEPARTMENT
11 OF HEALTH SHALL PROVIDE AND PERIODICALLY UPDATE BY RULE OR REGULATION A
12 LIST OF ADDITIONAL OSTOMY EQUIPMENT AND RELATED SUPPLIES SUCH AS ARE
13 MEDICALLY NECESSARY FOR THE TREATMENT OF OSTOMIES FOR WHICH THERE SHALL
14 ALSO BE COVERAGE.

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

17 (U-1) A MEDICAL EXPENSE INDEMNITY CORPORATION OR A HEALTH SERVICE
18 CORPORATION WHICH PROVIDES MEDICAL COVERAGE THAT INCLUDES COVERAGE FOR
19 PHYSICIAN SERVICES IN A PHYSICIAN'S OFFICE AND EVERY POLICY WHICH
20 PROVIDES MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE SHALL
21 INCLUDE COVERAGE FOR THE FOLLOWING EQUIPMENT AND SUPPLIES USED FOR THE
22 TREATMENT OF OSTOMIES, IF RECOMMENDED OR PRESCRIBED BY A PHYSICIAN OR
23 OTHER LICENSED HEALTH CARE PROVIDER LEGALLY AUTHORIZED TO PRESCRIBE
24 UNDER TITLE EIGHT OF THE EDUCATION LAW: FLANGES, COLLECTION BAGS,
25 CLAMPS, IRRIGATION DEVICES, SANITIZING PRODUCTS, OSTOMY RINGS AND OSTOMY
26 BELTS. IN ADDITION, THE COMMISSIONER OF THE DEPARTMENT OF HEALTH SHALL
27 PROVIDE AND PERIODICALLY UPDATE BY RULE OR REGULATION A LIST OF ADDI-
28 TIONAL OSTOMY EQUIPMENT AND RELATED SUPPLIES SUCH AS ARE MEDICALLY
29 NECESSARY FOR THE TREATMENT OF OSTOMIES FOR WHICH THERE SHALL ALSO BE
30 COVERAGE.

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