

3890

2013-2014 Regular Sessions

I N S E N A T E

February 26, 2013

Introduced by Sen. BALL -- 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 requiring health insurance policies to provide coverage for medically necessary care for the treatment of autism spectrum disorder

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

1 Section 1. Paragraph 25 of subsection (i) of section 3216 of the
2 insurance law is amended by adding a new subparagraph (H) to read as
3 follows:

4 (H) EVERY POLICY WHICH PROVIDES COVERAGE FOR HOSPITAL, SURGICAL, OR
5 MEDICAL CARE COVERAGE SHALL PROVIDE ANY AND ALL DIAGNOSTIC SCREENING,
6 TESTS, AND ASSESSMENTS AND TREATMENT INCLUDING MEDICAL CARE, CONSULTA-
7 TION, HABILITATION, REHABILITATION, SPEECH, BEHAVIORAL, OCCUPATIONAL AND
8 PHYSICAL THERAPIES, PEDIATRIC, NEUROLOGICAL, GASTRO-ENTEROLOGIC, AND ANY
9 OTHER MEDICALLY NECESSARY CARE THAT IS PROVIDED BY A LICENSED PROVIDER
10 REQUIRED FOR THE TREATMENT OF AUTISM SPECTRUM DISORDER, INCLUDING
11 ASPERGER'S DISORDER AND PERVASIVE DEVELOPMENTAL DISORDERS AS DETERMINED
12 BY THE TREATING PHYSICIAN.

13 S 2. Paragraph 17 of subsection (1) of section 3221 of the insurance
14 law is amended by adding a new subparagraph (H) to read as follows:

15 (H) EVERY POLICY WHICH PROVIDES COVERAGE FOR HOSPITAL, SURGICAL, OR
16 MEDICAL CARE COVERAGE SHALL PROVIDE ANY AND ALL DIAGNOSTIC SCREENING,
17 TESTS, AND ASSESSMENTS AND TREATMENT INCLUDING MEDICAL CARE, CONSULTA-
18 TION, HABILITATION, REHABILITATION, SPEECH, BEHAVIORAL, OCCUPATIONAL AND
19 PHYSICAL THERAPIES, PEDIATRIC, NEUROLOGICAL, GASTRO-ENTEROLOGIC, AND ANY
20 OTHER MEDICALLY NECESSARY CARE THAT IS PROVIDED BY A LICENSED PROVIDER
21 REQUIRED FOR THE TREATMENT OF AUTISM SPECTRUM DISORDER, INCLUDING
22 ASPERGER'S DISORDER AND PERVASIVE DEVELOPMENTAL DISORDERS AS DETERMINED
23 BY THE TREATING PHYSICIAN.

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

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1 S 3. Subsection (ee) of section 4303 of the insurance law is amended
2 by adding a new paragraph 8 to read as follows:
3 (8) EVERY POLICY WHICH PROVIDES COVERAGE FOR HOSPITAL, SURGICAL, OR
4 MEDICAL CARE COVERAGE SHALL PROVIDE ANY AND ALL DIAGNOSTIC SCREENING,
5 TESTS, AND ASSESSMENTS AND TREATMENT INCLUDING MEDICAL CARE, CONSULTA-
6 TION, HABILITATION, REHABILITATION, SPEECH, BEHAVIORAL, OCCUPATIONAL AND
7 PHYSICAL THERAPIES, PEDIATRIC, NEUROLOGICAL, GASTRO-ENTEROLOGIC, AND ANY
8 OTHER MEDICALLY NECESSARY CARE THAT IS PROVIDED BY A LICENSED PROVIDER
9 REQUIRED FOR THE TREATMENT OF AUTISM SPECTRUM DISORDER, INCLUDING
10 ASPERGER'S DISORDER AND PERVASIVE DEVELOPMENTAL DISORDERS AS DETERMINED
11 BY THE TREATING PHYSICIAN.
12 S 4. This act shall take effect on the first of January next succeed-
13 ing the date on which it shall have become a law and shall apply to all
14 policies or contracts issued, renewed, modified, altered or amended on
15 and after such effective date.