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

5337

2013-2014 Regular Sessions

I N S E N A T E

May 16, 2013

Introduced by Sen. SAVINO -- 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 for the HALO breast pap test to detect risk of developing breast cancer

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 30 to read as follows:

(30) (A) EVERY POLICY WHICH PROVIDES COVERAGE FOR HOSPITAL, SURGICAL, OR MEDICAL CARE COVERAGE SHALL PROVIDE COVERAGE FOR THE HALO BREAST PAP TEST TO DETECT A WOMAN'S RISK OF DEVELOPING BREAST CANCER, WHEN SUCH TEST IS RECOMMENDED BY A PHYSICIAN OR CERTIFIED NURSE PRACTITIONER.

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

(C) FOR PURPOSES OF THIS SECTION, "HALO BREAST PAP TEST" MEANS A PROCEDURE THAT ENTAILS COLLECTION OF NIPPLE ASPIRATE FLUID FOR CYTOLOGICAL EVALUATION.

S 2. Subsection (l) of section 3221 of the insurance law is amended by adding a new paragraph 19 to read as follows:

(19) (A) A GROUP OR BLANKET ACCIDENT OR HEALTH INSURANCE POLICY OR ISSUING A GROUP BLANKET POLICY FOR DELIVERY IN THIS STATE WHICH PROVIDES COVERAGE FOR HOSPITAL, SURGICAL, OR MEDICAL CARE COVERAGE SHALL PROVIDE COVERAGE FOR THE HALO BREAST PAP TEST TO DETECT A WOMAN'S RISK OF DEVELOPING BREAST CANCER, WHEN SUCH TEST IS RECOMMENDED BY A PHYSICIAN OR CERTIFIED NURSE PRACTITIONER.

(B) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE CONSISTENT WITH THOSE ESTABLISHED FOR OTHER BENEFITS GIVEN A GIVEN POLICY.

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

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(C) FOR PURPOSES OF THIS SECTION, "HALO BREAST PAP TEST" MEANS A PROCEDURE THAT ENTAILS COLLECTION OF NIPPLE ASPIRATE FLUID FOR CYTOLOGICAL EVALUATION.

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

(JJ)(1) A MEDICAL EXPENSE INDEMNITY CORPORATION, A HOSPITAL SERVICE CORPORATION OR A HEALTH SERVICE CORPORATION WHICH PROVIDES COVERAGE FOR HOSPITAL, SURGICAL, OR MEDICAL CARE COVERAGE SHALL PROVIDE COVERAGE FOR THE HALO BREAST PAP TEST TO DETECT A WOMAN'S RISK OF DEVELOPING BREAST CANCER, WHEN SUCH TEST IS RECOMMENDED BY A PHYSICIAN OR CERTIFIED NURSE PRACTITIONER.

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

(3) FOR PURPOSES OF THIS SECTION, "HALO BREAST PAP TEST" MEANS A PROCEDURE THAT ENTAILS COLLECTION OF NIPPLE ASPIRATE FLUID FOR CYTOLOGICAL EVALUATION.

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