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

5937--A

2013-2014 Regular Sessions

I N S E N A T E

September 18, 2013

Introduced by Sens. VALESKY, AVELLA, BALL, KENNEDY, LATIMER, MARTINS, TKACZYK -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Insurance in accordance with Senate Rule 6, sec. 8 -- 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:

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 30 to read as follows:

(30) EVERY POLICY WHICH PROVIDES MEDICAL COVERAGE THAT INCLUDES COVERAGE FOR PHYSICIAN SERVICES IN A PHYSICIAN'S OFFICE AND EVERY POLICY WHICH PROVIDES MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE SHALL INCLUDE COVERAGE FOR THE FOLLOWING EQUIPMENT AND SUPPLIES USED FOR THE TREATMENT OF OSTOMIES, IF RECOMMENDED OR PRESCRIBED BY A PHYSICIAN OR OTHER LICENSED HEALTH CARE PROVIDER LEGALLY AUTHORIZED TO PRESCRIBE UNDER TITLE EIGHT OF THE EDUCATION LAW: FLANGES, COLLECTION BAGS, CLAMPS, IRRIGATION DEVICES, SANITIZING PRODUCTS, OSTOMY RINGS AND OSTOMY BELTS. IN ADDITION, THE COMMISSIONER OF THE DEPARTMENT OF HEALTH SHALL PROVIDE AND PERIODICALLY UPDATE BY RULE OR REGULATION A LIST OF ADDITIONAL OSTOMY EQUIPMENT AND RELATED SUPPLIES SUCH AS ARE MEDICALLY NECESSARY FOR THE TREATMENT OF OSTOMIES FOR WHICH THERE SHALL ALSO BE COVERAGE.

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

(19) EVERY GROUP OR BLANKET ACCIDENT AND HEALTH INSURANCE POLICY ISSUED OR ISSUED FOR DELIVERY IN THIS STATE WHICH PROVIDES MEDICAL COVERAGE THAT INCLUDES COVERAGE FOR PHYSICIAN SERVICES IN A PHYSICIAN'S OFFICE AND EVERY POLICY WHICH PROVIDES MAJOR MEDICAL OR SIMILAR COMPRE-

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

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HENSIVE-TYPE COVERAGE SHALL INCLUDE COVERAGE FOR THE FOLLOWING EQUIPMENT AND SUPPLIES USED FOR THE TREATMENT OF OSTOMIES, IF RECOMMENDED OR PRESCRIBED BY A PHYSICIAN OR OTHER LICENSED HEALTH CARE PROVIDER LEGALLY AUTHORIZED TO PRESCRIBE UNDER TITLE EIGHT OF THE EDUCATION LAW: FLANGES, COLLECTION BAGS, CLAMPS, IRRIGATION DEVICES, SANITIZING PRODUCTS, OSTOMY RINGS AND OSTOMY BELTS. IN ADDITION, THE COMMISSIONER OF THE DEPARTMENT OF HEALTH SHALL PROVIDE AND PERIODICALLY UPDATE BY RULE OR REGULATION A LIST OF ADDITIONAL OSTOMY EQUIPMENT AND RELATED SUPPLIES SUCH AS ARE MEDICALLY NECESSARY FOR THE TREATMENT OF OSTOMIES FOR WHICH THERE SHALL ALSO BE COVERAGE.

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

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

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 and contracts issued, renewed, modified, altered or amended on or after such effective date.