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I N S E N A T E

June 17, 2014

Introduced by Sen. VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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. Paragraph 30 of subsection (i) of section 3216 of the
2 insurance law, as added by a chapter of the laws of 2014, amending the
3 insurance law relating to authorizing insurance coverage for equipment
4 and supplies used for the treatment of ostomies, as proposed in legisla-
5 tive bills numbers S.5937-A and A.8137-A, is amended to read as follows:
6 (30) Every policy which provides medical coverage that includes cover-
7 age for physician services in a physician's office and every policy
8 which provides major medical or similar comprehensive-type coverage
9 shall include coverage for [the following] equipment and supplies used
10 for the treatment of ostomies, if [recommended or] prescribed by a
11 physician or other licensed health care provider legally authorized to
12 prescribe under title eight of the education law[: flanges, collection
13 bags, clamps, irrigation devices, sanitizing products, ostomy rings and
14 ostomy belts. In addition, the commissioner of the department of health
15 shall provide and periodically update by rule or regulation a list of
16 additional ostomy equipment and related supplies such as are medically
17 necessary for the treatment of ostomies for which there shall also be
18 coverage]. SUCH COVERAGE SHALL BE SUBJECT TO ANNUAL DEDUCTIBLES AND
19 COINSURANCE AS DEEMED APPROPRIATE BY THE SUPERINTENDENT. THE COVERAGE
20 REQUIRED BY THIS PARAGRAPH SHALL BE IDENTICAL TO, AND SHALL NOT ENHANCE
21 OR INCREASE THE COVERAGE REQUIRED AS PART OF ESSENTIAL HEALTH BENEFITS
22 AS REQUIRED PURSUANT TO SECTION 2707 (A) OF THE PUBLIC HEALTH SERVICES
23 ACT 42 U.S.C. 300 GG-6(A).
24 S 2. Paragraph 19 of subsection (k) of section 3221 of the insurance
25 law, as added by a chapter of the laws of 2014, amending the insurance
26 law relating to authorizing insurance coverage for equipment and
27 supplies used for the treatment of ostomies, as proposed in legislative
28 bills numbers S. 5937-A and A. 8137-A, is amended 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] DELIVERED or issued for delivery in this state which provides
3 medical coverage that includes coverage for physician services in a
4 physician's office and every policy which provides major medical or
5 similar comprehensive-type coverage shall include coverage for [the
6 following] equipment and supplies used for the treatment of ostomies, if
7 [recommended or] prescribed by a physician or other licensed health care
8 provider legally authorized to prescribe under title eight of the educa-
9 tion law[: flanges, collection bags, clamps, irrigation devices, sani-
10 tizing products, ostomy rings and ostomy belts. In addition, the commis-
11 sioner of the department of health shall provide and periodically update
12 by rule or regulation a list of additional ostomy equipment and related
13 supplies such as are medically necessary for the treatment of ostomies
14 for which there shall also be coverage]. SUCH COVERAGE SHALL BE SUBJECT
15 TO ANNUAL DEDUCTIBLES AND COINSURANCE AS DEEMED APPROPRIATE BY THE
16 SUPERINTENDENT. THE COVERAGE REQUIRED BY THIS PARAGRAPH SHALL BE IDEN-
17 TICAL TO, AND SHALL NOT ENHANCE OR INCREASE THE COVERAGE REQUIRED AS
18 PART OF ESSENTIAL HEALTH BENEFITS AS REQUIRED PURSUANT TO SECTION 2707
19 (A) OF THE PUBLIC HEALTH SERVICES ACT 42 U.S.C. 300 GG-6(A).

20 S 3. Subsection (u-1) of section 4303 of the insurance law, as added
21 by a chapter of the laws of 2014, amending the insurance law relating to
22 authorizing insurance coverage for equipment and supplies used for the
23 treatment of ostomies, as proposed in legislative bills numbers S.
24 5937-A and A. 8137-A, is amended to read as follows:

25 (u-1) A medical expense indemnity corporation or a health service
26 corporation which provides medical coverage that includes coverage for
27 physician services in a physician's office and every policy which
28 provides major medical or similar comprehensive-type coverage shall
29 include coverage for [the following] equipment and supplies used for the
30 treatment of ostomies, if [recommended or] prescribed by a physician or
31 other licensed health care provider legally authorized to prescribe
32 under title eight of the education law[: flanges, collection bags,
33 clamps, irrigation devices, sanitizing products, ostomy rings and ostomy
34 belts. In addition, the commissioner of the department of health shall
35 provide and periodically update by rule or regulation a list of addi-
36 tional ostomy equipment and related supplies such as are medically
37 necessary for the treatment of ostomies for which there shall also be
38 coverage]. SUCH COVERAGE SHALL BE SUBJECT TO ANNUAL DEDUCTIBLES AND
39 COINSURANCE AS DEEMED APPROPRIATE BY THE SUPERINTENDENT. THE COVERAGE
40 REQUIRED BY THIS SUBSECTION SHALL BE IDENTICAL TO, AND SHALL NOT ENHANCE
41 OR INCREASE THE COVERAGE REQUIRED AS PART OF ESSENTIAL HEALTH BENEFITS
42 AS REQUIRED PURSUANT TO SECTION 2707(A) OF THE PUBLIC HEALTH SERVICES
43 ACT 42 U.S.C. 300 GG-6(A).

44 S 4. This act shall take effect on the same date and in the same
45 manner as a chapter of the laws of 2014, amending the insurance law
46 relating to authorizing insurance coverage for equipment and supplies
47 used for the treatment of ostomies, as proposed in legislative bills
48 numbers S. 5937-A and A. 8137-A, takes effect.