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

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I N A S S E M B L Y

June 16, 2014

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Magnarelli) -- read once and referred to the Committee on Insurance

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. Paragraph 30 of subsection (i) of section 3216 of the insurance law, as added by a chapter of the laws of 2014, amending the insurance law relating to authorizing insurance coverage for equipment and supplies used for the treatment of ostomies, as proposed in legislative bills numbers S.5937-A and A.8137-A, is amended 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]. SUCH COVERAGE SHALL BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE AS DEEMED APPROPRIATE BY THE SUPERINTENDENT. THE COVERAGE REQUIRED BY THIS PARAGRAPH SHALL BE IDENTICAL TO, AND SHALL NOT ENHANCE OR INCREASE THE COVERAGE REQUIRED AS PART OF ESSENTIAL HEALTH BENEFITS AS REQUIRED PURSUANT TO SECTION 2707 (A) OF THE PUBLIC HEALTH SERVICES ACT 42 U.S.C. 300 GG-6(A).

S 2. Paragraph 19 of subsection (k) of section 3221 of the insurance law, as added by a chapter of the laws of 2014, amending the insurance law relating to authorizing insurance coverage for equipment and supplies used for the treatment of ostomies, as proposed in legislative 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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(19) Every group or blanket accident and health insurance policy [issued] DELIVERED 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 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]. SUCH COVERAGE SHALL BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE AS DEEMED APPROPRIATE BY THE SUPERINTENDENT. THE COVERAGE REQUIRED BY THIS PARAGRAPH SHALL BE IDENTICAL TO, AND SHALL NOT ENHANCE OR INCREASE THE COVERAGE REQUIRED AS PART OF ESSENTIAL HEALTH BENEFITS AS REQUIRED PURSUANT TO SECTION 2707 (A) OF THE PUBLIC HEALTH SERVICES ACT 42 U.S.C. 300 GG-6(A).

S 3. Subsection (u-1) of section 4303 of the insurance law, as added by a chapter of the laws of 2014, amending the insurance law relating to authorizing insurance coverage for equipment and supplies used for the treatment of ostomies, as proposed in legislative bills numbers S. 5937-A and A. 8137-A, is amended 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]. SUCH COVERAGE SHALL BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE AS DEEMED APPROPRIATE BY THE SUPERINTENDENT. THE COVERAGE REQUIRED BY THIS SUBSECTION SHALL BE IDENTICAL TO, AND SHALL NOT ENHANCE OR INCREASE THE COVERAGE REQUIRED AS PART OF ESSENTIAL HEALTH BENEFITS AS REQUIRED PURSUANT TO SECTION 2707(A) OF THE PUBLIC HEALTH SERVICES ACT 42 U.S.C. 300 GG-6(A).

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