

1596

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. CAHILL, ENGLEBRIGHT -- Multi-Sponsored by -- M.
of A. BRENNAN, GALEF, PERRY -- read once and referred to the Committee
on Insurance

AN ACT to amend the insurance law, in relation to requiring certain
health insurance policies to cover costs for scalp hair prosthesis
worn for hair loss suffered as a result of alopecia areata, alopecia
totalis or alopecia universalis

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

1 Section 1. Subsection (i) of section 3216 of the insurance law is
2 amended by adding a new paragraph 30 to read as follows:
3 (30) (A) A GROUP HEALTH PLAN, AND A HEALTH INSURANCE ISSUER OFFERING
4 HEALTH INSURANCE COVERAGE IN CONNECTION WITH A GROUP HEALTH PLAN, SHALL
5 PROVIDE COVERAGE FOR SCALP HAIR PROSTHESIS FOR A PARTICIPANT OR BENEFI-
6 CIARY WHO HAS SCALP HAIR LOSS AS A RESULT OF ALOPECIA AREATA, ALOPECIA
7 TOTALIS OR ALOPECIA UNIVERSALIS IF THE ATTENDING PHYSICIAN OF THE
8 PARTICIPANT OR BENEFICIARY CERTIFIES IN WRITING THE MEDICAL NECESSITY OF
9 THAT PROPOSED COURSE OF REHABILITATIVE TREATMENT.
10 (B) AS USED IN THIS PARAGRAPH, THE TERM "SCALP HAIR PROSTHESIS"
11 INCLUDES ANY ARTIFICIAL SUBSTITUTES FOR SCALP HAIR.
12 (C) THE COVERAGE REQUIRED UNDER THIS PARAGRAPH IS NOT SUBJECT TO
13 DOLLAR LIMITS, DEDUCTIBLES, AND COINSURANCE PROVISIONS THAT ARE LESS
14 FAVORABLE THAN THOSE FOR OTHER PROSTHESIS COVERAGE UNDER THE PLAN OR
15 COVERAGE, EXCEPT THAT A GROUP HEALTH PLAN OR HEALTH INSURANCE ISSUER MAY
16 PROVIDE THAT THE PLAN OR ISSUER WILL ONLY PAY FOR EIGHTY PERCENT OF THE
17 CUSTOMARY AND USUAL COSTS OF THE SCALP HAIR PROSTHESIS EXCLUSIVE OF ANY
18 DEDUCTIBLE.
19 S 2. Subsection (k) of section 3221 of the insurance law is amended by
20 adding a new paragraph 19 to read as follows:

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

LBD03759-01-3

1 (19) (A) A GROUP HEALTH PLAN, AND A HEALTH INSURANCE ISSUER OFFERING
2 HEALTH INSURANCE COVERAGE IN CONNECTION WITH A GROUP HEALTH PLAN, SHALL
3 PROVIDE COVERAGE FOR SCALP HAIR PROSTHESIS FOR A PARTICIPANT OR BENEFI-
4 CIARY WHO HAS SCALP HAIR LOSS AS A RESULT OF ALOPECIA AREATA, ALOPECIA
5 TOTALIS OR ALOPECIA UNIVERSALIS IF THE ATTENDING PHYSICIAN OF THE
6 PARTICIPANT OR BENEFICIARY CERTIFIES IN WRITING THE MEDICAL NECESSITY OF
7 THAT PROPOSED COURSE OF REHABILITATIVE TREATMENT.

8 (B) AS USED IN THIS PARAGRAPH, THE TERM "SCALP HAIR PROSTHESIS"
9 INCLUDES ANY ARTIFICIAL SUBSTITUTES FOR SCALP HAIR.

10 (C) THE COVERAGE REQUIRED UNDER THIS PARAGRAPH IS NOT SUBJECT TO
11 DOLLAR LIMITS, DEDUCTIBLES, AND COINSURANCE PROVISIONS THAT ARE LESS
12 FAVORABLE THAN THOSE FOR OTHER PROSTHESIS COVERAGE UNDER THE PLAN OR
13 COVERAGE, EXCEPT THAT A GROUP HEALTH PLAN OR HEALTH INSURANCE ISSUER MAY
14 PROVIDE THAT THE PLAN OR ISSUER WILL ONLY PAY FOR EIGHTY PERCENT OF THE
15 CUSTOMARY AND USUAL COSTS OF THE SCALP HAIR PROSTHESIS EXCLUSIVE OF ANY
16 DEDUCTIBLE.

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

19 (JJ) (1) A GROUP HEALTH PLAN, AND A HEALTH INSURANCE ISSUER OFFERING
20 HEALTH INSURANCE COVERAGE IN CONNECTION WITH A GROUP HEALTH PLAN, SHALL
21 PROVIDE COVERAGE FOR SCALP HAIR PROSTHESIS FOR A PARTICIPANT OR BENEFI-
22 CIARY WHO HAS SCALP HAIR LOSS AS A RESULT OF ALOPECIA AREATA, ALOPECIA
23 TOTALIS OR ALOPECIA UNIVERSALIS IF THE ATTENDING PHYSICIAN OF THE
24 PARTICIPANT OR BENEFICIARY CERTIFIES IN WRITING THE MEDICAL NECESSITY OF
25 THAT PROPOSED COURSE OF REHABILITATIVE TREATMENT.

26 (2) AS USED IN THIS SUBSECTION, THE TERM "SCALP HAIR PROSTHESIS"
27 INCLUDES ANY ARTIFICIAL SUBSTITUTES FOR SCALP HAIR.

28 (3) THE COVERAGE REQUIRED UNDER THIS SUBSECTION IS NOT SUBJECT TO
29 DOLLAR LIMITS, DEDUCTIBLES, AND COINSURANCE PROVISIONS THAT ARE LESS
30 FAVORABLE THAN THOSE FOR OTHER PROSTHESIS COVERAGE UNDER THE PLAN OR
31 COVERAGE, EXCEPT THAT A GROUP HEALTH PLAN OR HEALTH INSURANCE ISSUER MAY
32 PROVIDE THAT THE PLAN OR ISSUER WILL ONLY PAY FOR EIGHTY PERCENT OF THE
33 CUSTOMARY AND USUAL COSTS OF THE SCALP HAIR PROSTHESIS EXCLUSIVE OF ANY
34 DEDUCTIBLE.

35 S 4. This act shall take effect on the first of January next succeed-
36 ing the date on which it shall have become a law and shall apply accord-
37 ing to its terms to all policies, contracts and certificates issued,
38 renewed, modified, altered or amended on or after such effective date.