

4372--A

2013-2014 Regular Sessions

I N A S S E M B L Y

February 4, 2013

Introduced by M. of A. DINOWITZ -- read once and referred to the Committee on Insurance -- recommitted to the Committee on Insurance in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to reimbursement for testing for familial dysautonomia, Canavan's disease and Tay-Sachs

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, 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) EVERY POLICY WHICH PROVIDES COVERAGE FOR HOSPITAL, SURGICAL
4 OR MEDICAL CARE OR PROVIDES REIMBURSEMENT FOR LABORATORY TESTS OR
5 REIMBURSEMENT FOR DIAGNOSTIC X-RAY SERVICES SHALL PROVIDE COVERAGE FOR
6 TESTING FOR FAMILIAL DYSAUTONOMIA, CANAVAN'S DISEASE AND TAY-SACHS.
7 (B) SUCH COVERAGE SHALL BE INCLUDED AT THE INCEPTION OF ALL NEW POLI-
8 CIES AND, WITH RESPECT TO ALL OTHER POLICIES, AT ANY ANNIVERSARY DATE OF
9 THE POLICY SUBJECT TO EVIDENCE OF INSURABILITY.
10 (C) FOR PURPOSES OF THIS PARAGRAPH, IN ORDER TO MAINTAIN THE CONFIDEN-
11 TIALITY OF PERSONS TESTED, RECEIPT OF AN ACKNOWLEDGMENT FROM THE LABORA-
12 TORY PERFORMING THE TEST FOR FAMILIAL DYSAUTONOMIA, CANAVAN'S DISEASE
13 AND TAY-SACHS SHALL BE DEEMED SUFFICIENT EVIDENCE OF THE PERFORMANCE OF
14 SUCH TESTING.
15 (D) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND CO-INSU-
16 RANCE AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE
17 CONSISTENT WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN
18 POLICY.
19 S 2. Subsection (l) of section 3221 of the insurance law is amended by
20 adding a new paragraph 19 to read as follows:
21 (19) (A) A GROUP POLICY WHICH PROVIDES COVERAGE FOR HOSPITAL, SURGICAL
22 OR MEDICAL CARE OR PROVIDES REIMBURSEMENT FOR LABORATORY TESTS OR

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

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1 REIMBURSEMENT FOR DIAGNOSTIC X-RAY SERVICES SHALL PROVIDE COVERAGE FOR
2 TESTING FOR FAMILIAL DYSAUTONOMIA, CANAVAN'S DISEASE AND TAY-SACHS.

3 (B) SUCH COVERAGE SHALL BE INCLUDED AT THE INCEPTION OF ALL NEW POLI-
4 CIES AND, WITH RESPECT TO ALL OTHER POLICIES, AT ANY ANNIVERSARY DATE OF
5 THE POLICY SUBJECT TO EVIDENCE OF INSURABILITY.

6 (C) FOR PURPOSES OF THIS PARAGRAPH, IN ORDER TO MAINTAIN THE CONFIDEN-
7 TIALITY OF PERSONS TESTED, RECEIPT OF AN ACKNOWLEDGMENT FROM THE LABORA-
8 TORY PERFORMING THE TEST FOR FAMILIAL DYSAUTONOMIA, CANAVAN'S DISEASE
9 AND TAY-SACHS SHALL BE DEEMED SUFFICIENT EVIDENCE OF THE PERFORMANCE OF
10 SUCH TESTING.

11 (D) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND CO-INSU-
12 RANCE AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE
13 CONSISTENT WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN
14 POLICY.

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

17 (OO) (1) A MEDICAL EXPENSE INDEMNITY CORPORATION, A HOSPITAL SERVICE
18 CORPORATION OR A HEALTH SERVICE CORPORATION WHICH PROVIDES COVERAGE FOR
19 HOSPITAL, SURGICAL OR MEDICAL CARE OR PROVIDES REIMBURSEMENT FOR LABORA-
20 TORY TESTS OR REIMBURSEMENT FOR DIAGNOSTIC X-RAY SERVICES SHALL PROVIDE
21 COVERAGE FOR TESTING FOR FAMILIAL DYSAUTONOMIA, CANAVAN'S DISEASE AND
22 TAY-SACHS.

23 (2) SUCH COVERAGE SHALL BE INCLUDED AT THE INCEPTION OF ALL NEW POLI-
24 CIES AND, WITH RESPECT TO ALL OTHER POLICIES, AT ANY ANNIVERSARY DATE OF
25 THE POLICY SUBJECT TO EVIDENCE OF INSURABILITY.

26 (3) FOR PURPOSES OF THIS SUBSECTION, IN ORDER TO MAINTAIN THE CONFI-
27 DENTIALITY OF PERSONS TESTED, RECEIPT OF AN ACKNOWLEDGMENT FROM THE
28 LABORATORY PERFORMING THE TEST FOR FAMILIAL DYSAUTONOMIA, CANAVAN'S
29 DISEASE AND TAY-SACHS SHALL BE DEEMED SUFFICIENT EVIDENCE OF THE
30 PERFORMANCE OF SUCH TESTING.

31 (4) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND CO-INSU-
32 RANCE AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE
33 CONSISTENT WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN
34 POLICY.

35 S 4. This act shall take effect immediately.