

6619

2013-2014 Regular Sessions

I N A S S E M B L Y

April 12, 2013

Introduced by M. of A. JACOBS -- read once and referred to the Committee
on Insurance

AN ACT to amend the insurance law, in relation to authorizing health
insurance reimbursement for certified registered nurse anesthetists
providing anesthesia services

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

1 Section 1. Paragraphs 27 and 28 of subsection (i) of section 3216 of
2 the insurance law, paragraph 27 as added by chapter 536 of the laws of
3 2010 and paragraph 28 as added by chapter 589 of the laws of 2011, are
4 renumbered paragraphs 30 and 31 respectively and a new paragraph 32 is
5 added to read as follows:

6 (32) AT THE DISCRETION OF THE INSURER, ANESTHESIA SERVICES PROVIDED BY
7 A CERTIFIED REGISTERED NURSE ANESTHETIST MAY BE ELIGIBLE FOR REIMBURSE-
8 MENT UNDER ANY POLICY WHICH PROVIDES FOR COVERAGE FOR ANESTHESIA
9 SERVICES. PROVIDED HOWEVER, THAT NOTHING CONTAINED HEREIN SHALL BE
10 CONSTRUED TO REQUIRE AN INSURER TO REIMBURSE BOTH A PHYSICIAN AND A
11 CERTIFIED REGISTERED NURSE ANESTHETIST FOR PROVIDING THE SAME ANESTHE-
12 SIOLOGY SERVICES. THE TERM "CERTIFIED REGISTERED NURSE ANESTHETIST" AS
13 USED IN THIS PARAGRAPH SHALL MEAN A PERSON WHO HAS SATISFACTORILY
14 COMPLETED EDUCATIONAL PREPARATION FOR PROVISION OF THESE SERVICES IN A
15 PROGRAM REGISTERED BY THE DEPARTMENT OF EDUCATION OR IN A PROGRAM
16 ACCREDITED BY A NATIONAL BODY RECOGNIZED BY THE DEPARTMENT OF EDUCATION
17 OR DETERMINED BY THE DEPARTMENT OF EDUCATION TO BE THE EQUIVALENT; AND
18 SUBMIT EVIDENCE OF CURRENT CERTIFICATION OR RECERTIFICATION BY A
19 NATIONAL CERTIFYING BODY, RECOGNIZED BY THE DEPARTMENT OF EDUCATION.

20 S 2. Subsection (1) of section 3221 of the insurance law is amended by
21 adding a new paragraph 19 to read as follows:

22 (19) AT THE DISCRETION OF THE INSURER, ANESTHESIA SERVICES PROVIDED BY
23 A CERTIFIED REGISTERED NURSE ANESTHETIST MAY BE ELIGIBLE FOR REIMBURSE-
24 MENT UNDER ANY POLICY WHICH PROVIDES FOR COVERAGE FOR ANESTHESIA

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

LBD04745-01-3

1 SERVICES. PROVIDED HOWEVER, THAT NOTHING CONTAINED HEREIN SHALL BE
2 CONSTRUED TO REQUIRE AN INSURER TO REIMBURSE BOTH A PHYSICIAN AND A
3 CERTIFIED REGISTERED NURSE ANESTHETIST FOR PROVIDING THE SAME ANESTHE-
4 SIOLOGY SERVICES. THE TERM "CERTIFIED REGISTERED NURSE ANESTHETIST" AS
5 USED IN THIS PARAGRAPH SHALL MEAN A PERSON WHO HAS SATISFACTORILY
6 COMPLETED EDUCATIONAL PREPARATION FOR PROVISION OF THESE SERVICES IN A
7 PROGRAM REGISTERED BY THE DEPARTMENT OF EDUCATION OR IN A PROGRAM
8 ACCREDITED BY A NATIONAL BODY RECOGNIZED BY THE DEPARTMENT OF EDUCATION
9 OR DETERMINED BY THE DEPARTMENT OF EDUCATION TO BE THE EQUIVALENT; AND
10 SUBMIT EVIDENCE OF CURRENT CERTIFICATION OR RECERTIFICATION BY A
11 NATIONAL CERTIFYING BODY, RECOGNIZED BY THE DEPARTMENT OF EDUCATION.

12 S 3. Subsections (gg) and (hh) of section 4303 of the insurance law,
13 subsection (gg) as added by chapter 536 of the laws of 2010 and
14 subsection (hh) as added by chapter 589 of the laws of 2011, are renum-
15 bered subsections (jj) and (kk) respectively and a new subsection (ll)
16 is added to read as follows:

17 (LL) AT THE DISCRETION OF THE INSURER, ANESTHESIA SERVICES PROVIDED BY
18 A CERTIFIED REGISTERED NURSE ANESTHETIST MAY BE ELIGIBLE FOR REIMBURSE-
19 MENT UNDER ANY POLICY WHICH PROVIDES FOR COVERAGE FOR ANESTHESIA
20 SERVICES. PROVIDED HOWEVER, THAT NOTHING CONTAINED HEREIN SHALL BE
21 CONSTRUED TO REQUIRE AN INSURER TO REIMBURSE BOTH A PHYSICIAN AND A
22 CERTIFIED REGISTERED NURSE ANESTHETIST FOR PROVIDING THE SAME ANESTHE-
23 SIOLOGY SERVICES. THE TERM "CERTIFIED REGISTERED NURSE ANESTHETIST" AS
24 USED IN THIS SUBSECTION SHALL MEAN A PERSON WHO HAS SATISFACTORILY
25 COMPLETED EDUCATIONAL PREPARATION FOR PROVISION OF THESE SERVICES IN A
26 PROGRAM REGISTERED BY THE DEPARTMENT OF EDUCATION OR IN A PROGRAM
27 ACCREDITED BY A NATIONAL BODY RECOGNIZED BY THE DEPARTMENT OF EDUCATION
28 OR DETERMINED BY THE DEPARTMENT OF EDUCATION TO BE THE EQUIVALENT; AND
29 SUBMIT EVIDENCE OF CURRENT CERTIFICATION OR RECERTIFICATION BY A
30 NATIONAL CERTIFYING BODY, RECOGNIZED BY THE DEPARTMENT OF EDUCATION.

31 S 4. This act shall take effect January 1, 2014 and shall apply to
32 policies and contracts issued, renewed, modified, altered or amended on
33 or after such effective date.