

3856

2013-2014 Regular Sessions

I N   S E N A T E

February 25, 2013

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

AN ACT to amend the insurance law, in relation to insurance coverage for out-of-network flu shots

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) EVERY POLICY THAT INCLUDES COVERAGE FOR A FLU SHOT THAT REQUIRES  
4 SUCH SERVICES TO BE PROVIDED BY AN IN-NETWORK PROVIDER SHALL NOT DENY  
5 COVERAGE FOR AN INDIVIDUAL WHO RECEIVES THE FLU SHOT FROM AN OUT-OF-NET-  
6 WORK PROVIDER.  
7     S 2. Subsection (k) of section 3221 of the insurance law is amended by  
8 adding a new paragraph 19 to read as follows:  
9     (19) EVERY POLICY THAT INCLUDES COVERAGE FOR A FLU SHOT THAT REQUIRES  
10 SUCH SERVICES TO BE PROVIDED BY AN IN-NETWORK PROVIDER SHALL NOT DENY  
11 COVERAGE FOR AN INDIVIDUAL WHO RECEIVES THE FLU SHOT FROM AN OUT-OF-NET-  
12 WORK PROVIDER.  
13     S 3. Section 4303 of the insurance law is amended by adding a new  
14 subsection (jj) to read as follows:  
15     (JJ) EVERY POLICY THAT INCLUDES COVERAGE FOR A FLU SHOT THAT REQUIRES  
16 SUCH SERVICES TO BE PROVIDED BY AN IN-NETWORK PROVIDER SHALL NOT DENY  
17 COVERAGE FOR AN INDIVIDUAL WHO RECEIVES THE FLU SHOT FROM AN OUT-OF-NET-  
18 WORK PROVIDER.  
19     S 4. Subsection (b) of section 4322 of the insurance law is amended by  
20 adding a new paragraph 28 to read as follows:  
21     (28) FLU SHOTS.  
22     S 5. This act shall take effect on the first of January next succeed-  
23 ing the date on which it shall have become a law and shall apply to  
24 insurance policies and contracts issued, renewed, modified or altered on  
25 or after such effective date.

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

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