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

3856

2013-2014 Regular Sessions

I N S E N A T E

February 25, 2013

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:

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 30 to read as follows:

(30) EVERY POLICY THAT INCLUDES COVERAGE FOR A FLU SHOT THAT REQUIRES SUCH SERVICES TO BE PROVIDED BY AN IN-NETWORK PROVIDER SHALL NOT DENY COVERAGE FOR AN INDIVIDUAL WHO RECEIVES THE FLU SHOT FROM AN OUT-OF-NETWORK PROVIDER.

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

(19) EVERY POLICY THAT INCLUDES COVERAGE FOR A FLU SHOT THAT REQUIRES SUCH SERVICES TO BE PROVIDED BY AN IN-NETWORK PROVIDER SHALL NOT DENY COVERAGE FOR AN INDIVIDUAL WHO RECEIVES THE FLU SHOT FROM AN OUT-OF-NETWORK PROVIDER.

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

(JJ) EVERY POLICY THAT INCLUDES COVERAGE FOR A FLU SHOT THAT REQUIRES SUCH SERVICES TO BE PROVIDED BY AN IN-NETWORK PROVIDER SHALL NOT DENY COVERAGE FOR AN INDIVIDUAL WHO RECEIVES THE FLU SHOT FROM AN OUT-OF-NETWORK PROVIDER.

S 4. Subsection (b) of section 4322 of the insurance law is amended by adding a new paragraph 28 to read as follows:

(28) FLU SHOTS.

S 5. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to insurance policies and contracts issued, renewed, modified or altered on or after such effective date.

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

LBD09240-01-3